

Denman.	Poage.
Dielmann.	Pool.
Dunlap.	Pope.
Duvall.	Porter.
Enderby.	Powell.
Eickenroht.	Purl.
Farrar.	Ramsey.
Faulk.	Reagan.
Finlay.	Renfro
Fly.	of Angelina
Forbes.	Renfro of Mills.
Fuchs.	Rogers of Hays.
Gates.	Rogers of Shelby.
Gibson.	Rowell.
Gilbert.	Runge.
Graves.	Sanders.
Gray.	Satterwhite.
Hagaman.	Shaver.
Hall.	Shearer.
Harman.	Sheats.
Hefley.	Shirley.
Holder.	Simmons.
Hornaday.	Sinks.
Jacks.	Smith of Nueces.
Johnson.	Smith of Smith.
Jones.	Smyth.
Justice.	Snelgrove.
Kayton.	Stell.
Kemble.	Storey.
Kennedy.	Stout.
Kincaid.	Sutton.
King of Hopkins.	Swain.
King of	Taylor.
Throckmorton.	Teer.
Kirkland.	Veatch.
Land.	Waddell.
Loftin.	Walker.
Long.	Wallace
Loy.	of Freestone.
Masterson.	Wallace of Panola.
McGill.	Ware.
Merritt.	Webb.
Minor.	Wells.
Morse.	Whitaker.
Moursund.	Williams
Murphy.	of Sabine.
Nabors.	Williams
Nicholson.	of Travis.
Olsen.	Williamson.
Parrish of Travis.	Woodall.
Pavlica.	Woodruff.
Pearce.	Young.
Petsch.	

Absent.

Dale.	Montgomery.
Durham.	Moore.
High.	Rawlins.
Holland.	Smith of El Paso.
Kirby.	Stevenson.
Lipscomb.	Tillotson.
McCombs.	Wallace of Smith.
McKean.	Wassell.

Absent—Excused.

Foster.	Kenyon.
Harding.	Kinnear.

Kittrell.	Smith
Parish	of Atascosa.
of Runnels.	Turner.
	Van Zandt.

RESOLUTION SIGNED BY THE
SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 5, Directing Adjutant General to take charge of Capitol grounds.

ADJOURNMENT.

On motion of Mr. Young, the House, at 3 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Judiciary: House bills Nos. 34, 36, 37, 38, 39, 40, 41, 43, 45, 47, 147 and 208.

Common Carriers: Senate bills Nos. 51, 53 and 26.

Agriculture: H. C. R. No. 2.

EIGHTH DAY.

(Thursday, January 20, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	Cornwell.
Albritton.	Cox.
Alexander.	Cummings.
Anderson.	Dale.
Avis.	Daniel.
Barnett.	Davis.
Barron.	DeBerry.
Bass.	Denman.
Bateman.	Dielmann.
Beck.	Dunlap.
Bird.	Durham.
Black.	Duvall.
Boggs.	Enderby.
Bonham.	Eickenroht.
Boon.	Farrar.
Branch.	Faulk.
Brown.	Finlay.
Conway.	Fly.

Forbes.	Pope.
Fuchs.	Porter.
Gates.	Powell.
Gibson.	Purl.
Gilbert.	Ramsey.
Graves.	Rawlins.
Gray.	Reagan.
Hagaman.	Renfro
Hall.	of Angelina
Harding.	Renfro of Mills.
Harman.	Rogers of Hays.
Hefley.	Rogers of Shelby.
High.	Runge.
Holder.	Sanders.
Holland.	Satterwhite.
Hornaday.	Shaver.
Jacks.	Shearer.
Johnson.	Sheats.
Jones.	Shirley.
Justice.	Simmons.
Kayton.	Sinks.
Kemble.	Smith of El Paso.
Kennedy.	Smith of Nueces.
Kincaid.	Smith of Smith.
King of Hopkins.	Smyth.
King of	Snelgrove.
Throckmorton.	Stell.
Kirby.	Stevenson.
Kirkland.	Storey.
Land.	Stout.
Lipscomb.	Sutton.
Loftin.	Swain.
Long.	Taylor.
Loy.	Teer.
Masterson.	Tillotson.
McCombs.	Van Zandt.
McGill.	Veatch.
McKean.	Waddell.
Merritt.	Walker.
Minor.	Wallace
Montgomery.	of Freestone.
Moore.	Wallace of Panola.
Morse.	Wallace of Smith.
Moursund.	Ware.
Murphy.	Webb.
Nabors.	Wells.
Nicholson.	Whitaker.
Olsen.	Williams
Parish	of Sabine.
of Runnels.	Williams
Parrish of Travis.	of Travis.
Pavlica.	Williamson.
Pearce.	Woodall.
Petsch.	Woodruff.
Poage.	Young.
Pool.	

Absent—Excused.

Foster.	Smith
Kenyon.	of Atascosa.
Kinnear.	Turner.
Kittrell.	Wassell.
Rowell.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Turner for yesterday and today, on motion of Mr. Bonham.

Mr. Kenyon for today and the balance of the week, on motion of Mr. Shearer.

Mr. Smith of Atascosa for today, on motion of Mr. Shearer.

Mr. Foster for today, on motion of Mr. Kemble.

Mr. Wassell for today, on motion of Mr. Walker.

Mr. Rowell for today, on motion of Mr. Woodall.

The following members were granted leaves of absence on account of illness:

Mr. Kittrell for today, on motion of Mr. Durham.

Mr. Kinnear for yesterday and today, on motion of Mr. Reagan.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Barron:

H. B. No. 224, A bill to be entitled "An Act to amend Section 2, of Chapter 42, of the Local and Special Laws enacted by the Thirty-seventh Legislature at its Regular Session in 1921, same being a special road law for Brazos county, by adding thereto Section 2a, to permit the issuance of bonds by Brazos county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Olsen, Mr. Albritton and Mr. Loy (by request):

H. B. No. 225, A bill to be entitled "An Act requiring all railway corporations operating a line of railway in the State of Texas, to place switch lights on all their main line switches and to keep the same lighted from sunset until sunrise, except the main line switches that are now or may hereafter be operated by automatic signal devices; and requiring all railway corporations in the State of Texas to place single vane targets on all main line switches; and providing penalties and remedies for the violation of this act; repealing

Article 6373, of Chapter 8, Title 112, of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Farrar:

H. B. No. 226, A bill to be entitled "An Act providing that any teacher holding a valid certificate classified as an 'Elementary Permanent Certificate' or 'High School Permanent Certificate,' under Article 2885, Revised Civil Statutes of 1925, shall be authorized to teach any subject in any common school or high school in this State, which subject such teacher was required to pass in order to acquire such certificate; and authorizing such teacher to contract as teacher, principal, superintendent, or other position to which he or she may be assigned, by the trustees or other governing body for all grades or subjects covered by his or her certificate, and receive the pay authorized by law for the grades or subjects contracted to be taught; directing how such subjects shall be determined; and providing that no discrimination shall be made between certificates acquired by examination and those through attendance at teachers' colleges; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Referred to Committee on Education.

By Mr. Nabors and Mr. Holder:

H. B. No. 227, A bill to be entitled "An Act to repeal all of Article 5131 of the Revised Civil Statutes of Texas, and declaring an emergency."

Referred to Committee on Eleemosynary and Reformatory Institutions.

By Mr. Nabors and Mr. Holder:

H. B. No. 228, A bill to be entitled "An Act to amend Article 5125 of the Revised Civil Statutes of Texas for 1925, so that all male persons, regardless of color, under the age of seventeen (17) years who shall be lawfully committed to the State Juvenile Training School as a delinquent child shall be received as inmates of said training school, and declaring an emergency."

Referred to Committee on Eleemosynary and Reformatory Institutions.

By Mr. Cornwell:

H. B. No. 229, A bill to be entitled "An Act to amend Section 2 of House bill No. 379, Chapter 14 of Special Laws enacted by the Thirty-ninth Legislature at the First Called Session of 1926."

Referred to Committee on School Districts.

By Mr. Cornwell:

H. B. No. 230, A bill to be entitled "An Act to amend Section 2 of House bill No. 380, Chapter 46 of Special Laws enacted by the Thirty-ninth Legislature at the First Called Session of 1926."

Referred to Committee on School Districts.

By Mr. Kemble:

H. B. No. 231, A bill to be entitled "An Act to authorize the judge of any district court, or other court having jurisdiction, to appoint a receiver or receivers for any defunct or disorganized church or congregation and authorize the management, sale or other disposition of any and all properties, real, personal, mixed and choses in action; and authorizing such court in such cases where such church or congregation may not in the judgment of such court be reorganized within reasonable time, to deliver such property or its proceeds to a church or congregation, a religious or governing body or other ecclesiastical head, or a State missionary society, of like faith and order, to be used or expended for the use of a church, churches, denomination or communion of like faith and order, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Kemble:

H. B. No. 232, A bill to be entitled "An Act to provide for the approval by municipal authorities before filing, and for the filing and recordation of plats or replats of land."

Referred to Committee on Municipal and Private Corporations.

By Mr. Renfro of Angelina and Mr. Gates:

H. B. No. 233, A bill to be entitled "An Act providing for the licensing of chiropractors; for registering license granted to chiropractors and certain sworn statements required to be made by chiropractors; and providing for the duty of the county clerk in reference thereto; providing for the introduction of certain records and certain copies thereof in evidence and the effect of such evidence; defining the practice of chiropractors; providing for penalties for the violation of this act; providing for and creating a State Board of Chiropractor Examiners, its appointment, and defining the powers and duties of

such board; providing for the qualification of its members, their term of office, the election of its officers, its meetings and the keeping of certain records pertaining to its proceedings; providing for fees to be paid by applicants for license and by licensed chiropractors; the disposition to be made of such fees; the suspending of licensee's license upon failure to pay certain fees; providing for the subject in which applicants for licenses shall be examined, those entitled to examination and the manner of conducting such examination; providing for the right to practice chiropractic in the State of Texas, and the making of death and other certificates; providing for the refusal of the right to practice chiropractic to certain classes of persons; providing for the revocation of license to practice chiropractic to certain classes of persons; defining the word 'board' as used in this act; providing for the preservation of several sections of this law; defining who is a practitioner of chiropractic and what is the chiropractic science; providing for penalties for the violation of this act; providing for reciprocity; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Woodall and Mr. Gibson (by request):

H. B. No. 234, A bill to be entitled "An Act amending certain sections and articles of the 1925 Revised Civil Statutes, providing for and fixing the fees of county judges, sheriffs, county clerks, county attorneys, district attorneys, district clerks, tax collectors, tax assessors; and relating to the appointment and compensation of deputies and assistants of certain officers, so amending the said article that the same shall hereafter read as hereinafter set forth; and repealing all laws in conflict therewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Runge:

H. B. No. 235, A bill to be entitled "An Act amending Section 8, of Chapter 177 of the General Laws of the Regular Session of the Thirty-ninth Legislature, which section relates to wild beaver, wild otter and wild fox and the pelts thereof, so as to provide that said section shall not apply to wild fox in that portion of Texas lying west of a line starting at the mouth of the Brazos river where it empties

into the Gulf of Mexico, thence following the meanderings of the Brazos river north to the intersection of the east boundary line of Young county, thence north along the west boundary line of Jack and Clay counties to the Red river, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. King of Throckmorton:

H. B. No. 236, A bill to be entitled "An Act to repeal Chapter 19a, Revised Civil Statutes of Texas, being Articles 1538a, 1538b, 1538c, 1538d, 1538e, 1538f, 1538g, 1538h, 1538i, 1538j, 1538k, 1538l, 1538m."

Referred to Judiciary Committee.

By Mr. King of Throckmorton:

H. B. No. 237, A bill to be entitled "An Act providing for the sale of all lands of the penitentiary of Texas lying north of the city of Houston, Texas, except the main penitentiary buildings and land on which they are located, and the property belonging to said system located in Cherokee county, Texas; providing for the building of a modern penitentiary plant and the erection of elements for a modern prison system; creating a special commission to sell said lands, and to locate and erect said central penitentiary plant; making certain penitentiary lands available for confining prisoners pending the re-erection and centralization of said penitentiary system; giving employment to prisoners; making appropriations to carry out the provisions of this act, and directing the manner of expenditure; making appropriations to pay traveling and necessary expenses of said commission; repealing all laws in conflict, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Smyth:

H. B. No. 238, A bill to be entitled "An Act to provide for the creation and establishment of independent school districts in the State of Texas, and to authorize the county board of education to annex one or more common school districts to an independent school district already created; to annex a part of one or more common school districts to an independent school district already created; to provide for the annexation of common school districts or parts of common school districts already created; to authorize the annexation of common school districts with independent school districts by a vote of the people;

to provide for the adjustment of indebtedness of school districts or parts of school districts so annexed; to provide for a dissolution of consolidated independent school districts by a vote of the people; to provide for the withdrawal of one or more parts of an independent school district; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Holland:

H. B. No. 239, A bill to be entitled "An Act to amend Article 2326, Title 42, Chapter 13, of the Revised Civil Statutes of the State of Texas of 1925, fixing and regulating the compensation of shorthand official court reporters for the district and county courts of the State of Texas; providing that all such court reporters in counties having a total number of inhabitants exceeding fifty thousand shall receive twenty-four hundred dollars per year, and all counties having more than one hundred thousand inhabitants, according to the last Federal census, shall receive twenty-eight hundred dollars per year, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Gilbert:

H. B. No. 240, A bill to be entitled "An Act repealing House bill No. 377, passed by the First Called Session of the Thirty-ninth Legislature of Texas, creating the Lockney Independent School District in Floyd county, Texas, including therein the Lockney Independent School District as it then existed and the following common school districts in said county as they and each of them then existed: Irick No. 1, Pleasant Valley No. 2, Munsey No. 3, Aiken No. 7, Roseland No. 17, Prairie Chapel No. 25 and Ramsey No. 27; providing therein for a board of directors thereof; vesting the said independent district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; fixing the term of office of such trustees; restoring to the several districts as consolidated in such bill the original status, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Minor:

H. B. No. 241, A bill to be entitled "An Act to amend Article 2825 of the Revised Civil Statutes of Texas for 1925, so as to provide that the taxes on school

lands owned by counties may be paid out of the proceeds of any leasing or renting of said lands, and in the event the proceeds from said leasing or renting of said lands for any one year are insufficient to pay said taxes for said year, then the same may be paid out of the general fund of the county, and declaring an emergency."

Referred to Committee on Education.

By Mr. Minor:

H. B. No. 242, A bill to be entitled "An Act to amend Articles 793 and 794 of the Code of Criminal Procedure of the State of Texas, revision of 1925, so that the provisions of said articles shall apply to punishments assessed at a pecuniary fine in felony cases as well as in cases of misdemeanor."

Referred to Committee on Criminal Jurisprudence.

By Mr. Nicholson:

H. B. No. 243, A bill to be entitled "An Act to prohibit injury to holly or Yaupon trees, shrubs or bushes or branches thereof by any person on land not his own; and prohibiting the purchase or sale of holly or Yaupon trees, shrubs, bushes or branches thereof taken from and by a person not owning the same and without written authority of the owner; providing a penalty for violation and repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Lipscomb and others:

H. B. No. 244, A bill to be entitled "An Act to amend Section 3, Article 8307, part 2 of Title 130, Revised Statutes of 1925, by creating the position to be known as actuary and adjuster of compensation; fixing salary; providing what duties shall be, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Rawlins:

H. B. No. 245, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by cities and towns in the State of Texas, which levies are unenforceable because of the failure of the governing bodies in such respective cities and towns to make such levies by ordinance, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Smith of El Paso:

H. B. No. 246, A bill to be entitled "An Act to authorize and direct the Secretary of State to exchange court re-

ports, session acts and other publications of other States and of the United States and of foreign countries for the benefit of the Law Library of the University of Texas, and declaring an emergency."

Referred to Judiciary Committee.

HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the Committee on Constitutional Amendments:

By Mr. Young:

H. J. R. No. 17, Proposing an amendment to the Constitution eliminating the State property tax except for certain uses, and submitting the same to the people for ratification.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Nabors, House bill No. 16 was ordered not printed.

On motion of Mr. Storey, House bill No. 138 was ordered not printed.

BILL RE-REFERRED.

On motion of Mr. Stell, House bill No. 148 was withdrawn from the Committee on Municipal and Private Corporations and referred to the Committee on Commerce and Manufactures.

(Mr. Satterwhite in the chair.)

PRESENTATION OF GAVEL TO THE SPEAKER.

Mr. Montgomery offered the following resolution:

Whereas, Oscar Thompson, of Jim Hogg county, Capt. J. A. Brooks, of Brooks county, A. Y. Baker, of Hidalgo county, and Dan Hightower, of Jim Hogg county, and W. W. Sterling, of Webb county, are here from the mesquite prairies and huisache flats of Southwest Texas to present to the Speaker of the House a gavel made of material truly representative of Texas; therefore, be it

Resolved, That they be invited to the Speaker's stand to make presentation to the Speaker of this typical Texas gavel.

Signed—Montgomery, Hornaday, Dunlap, Smith of Nueces.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort the visitors to the Speaker's stand:

Messrs. Montgomery, Dunlap, Hornaday and Smith of Nueces.

The committee having performed their duty, the Speaker introduced Hon. Dan Hightower, who presented Speaker Bobbitt with a gavel.

Mr. Satterwhite then presented Speaker Bobbitt, who accepted the gavel on behalf of himself and members of the House.

(Speaker in the chair.)

RELATING TO THE ACQUISITION OF STATE ALAMO PROPERTY.

Mr. Anderson offered the following resolution:

H. C. R. No. 8, Relating to the acquisition by the State of the remaining Alamo property, in the city of San Antonio, now privately owned.

Resolved by the House of Representatives, the Senate concurring, That the Governor is requested and authorized to appoint a commission of three outstanding citizens of the State of Texas, neither of whom shall be citizens of or residents in Bexar county, to investigate the advisability of the State acquiring all remaining property, now privately owned, in the block bounded by Alamo Plaza, Nacogdoches and East Houston Streets, in the city of San Antonio, surrounding the historic Alamo, the approximate cost thereof, and the means to be used; said commission to report back to the present session of the Legislature, with such other recommendations as they may deem proper in the premises.

The resolution was read second time.

On motion of Mr. Loftin, the resolution was referred to the Committee on Public Lands and Buildings.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 20, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has accepted

H. C. R. No. 6, Calling for joint session at 11 a. m. today, for purpose of hearing Governor Dan Moody deliver message to the Legislature.

Respectfully,
JAS. H. THORNHILL,
Assistant Secretary of the Senate.

COMMITTEE TO ESCORT GOVERNOR
TO HALL.

The Speaker announced the appointment of the following committee, on the part of the House, to escort the Governor to the Hall of the House of Representatives:

Messrs. Fly, Chairman; Smith of El Paso, Storey, Holland and Webb.

SPECIAL ORDER SET.

On motion of Mr. Satterwhite, House bill No. 52 was set as a special order for 10:36 o'clock a. m. today.

(Mr. Loftin in the chair.)

HOUSE BILL NO. 52 ON SECOND
READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 52, A bill to be entitled "An Act to amend House bill No. 369 of the Acts of the Thirty-ninth Legislature, Regular Session, Chapter 86, and providing for the reorganization of the Thirty-first Judicial District of Texas; naming the counties constituting the same; creating and organizing the One Hundred and Seventh Judicial District of Texas, and naming the counties therein; fixing the times and terms of the district courts, etc."

The bill was read second time.

Mr. Satterwhite offered the following (committee) amendments to the bill:

Amend by striking out all after the enacting clause and insert in lieu thereof the following:

"Section 1. The Thirty-first Judicial District of the State of Texas shall be composed of the counties of Roberts, Wheeler, Gray, Ochiltree, Lipscomb and Hemphill; and the terms of the district court shall be held therein each year as follows:

"Beginning in Roberts county on the second Monday in January and August of each year, and may continue in session two weeks;

"Beginning in Wheeler county on the second Monday after the second Monday in January and August of each year, and may continue in session five weeks;

"Beginning in Gray county on the seventh Monday after the second Monday in January and may continue in session three weeks; on the eighteenth Monday after the second Monday in January, and may continue in session until the business of the court is disposed of;

and the seventh Monday after the second Monday in August, and may continue in session three weeks; on the eighteenth Monday after the second Monday in August, and may continue in session until the business of the court is disposed of;

"Beginning in Ochiltree county on the tenth Monday after the second Monday in January and August of each year, and may continue in session two weeks;

"Beginning in Lipscomb county on the twelfth Monday after the second Monday in January and August of each year, and may continue in session two weeks;

"Beginning in Hemphill county on the fourteenth Monday after the second Monday in January and August of each year, and may continue in session four weeks.

"Sec. 2. The One Hundred Seventh Judicial District of Texas shall be composed of the counties of Carson, Hansford and Hutchinson; and the terms of the district court in such counties shall be held as follows:

"Beginning in Carson county on the second Monday in January and August, and the twelfth Monday after the second Monday in January and August of each year, and may continue in session four weeks;

"Beginning in Hansford county on the fourth Monday after the second Monday in January and August of each year and may continue in session two weeks;

"Beginning in Hutchinson county on the sixth Monday after the second Monday in January and August, and on the sixteenth Monday after the second Monday in January and August of each year, and may continue in session until the business of the court is disposed of.

"Sec. 3. The residence of W. R. Ewing, Judge of the Thirty-first Judicial District, and the residence of J. A. Holmes, District Attorney of the Thirty-first Judicial District, being in Roberts county, one of the counties of the Thirty-first Judicial District as reorganized, no judge nor district attorney shall be appointed for the Thirty-first Judicial District, but the said W. R. Ewing and J. A. Holmes shall hold their respective offices for the term for which they were elected.

"Sec. 4. The Governor shall appoint, as soon as this act takes effect, a person to act as judge of the One Hundred Seventh Judicial District, and a person to act as a district attorney of such One Hundred Seventh Judicial District, such persons to have the qualifications as prescribed by law.

"Sec. 5. That all process and writs heretofore issued out of the district court of said respective counties and returnable to terms of court in said counties according to existing laws are hereby made returnable to the terms of the district courts of said respective counties as said terms are fixed by this act in the respective judicial districts, and all bonds executed and recognizances entered in said courts shall bind the parties for their appearance or to fulfill the obligations of such bonds and recognizances at the terms of said courts in the respective judicial districts as they are fixed by this act, and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the district courts of said respective counties shall be as valid as though no change had been made in the time of holding courts herein, and all grand and petit jurors drawn and selected under existing laws for any of the counties of said respective judicial districts are hereby declared lawfully drawn and selected for the first term of the district courts of such respective counties held in conformity with this act.

"Sec. 6. Should any district court of the Thirty-first Judicial District be in session in any of the counties of said district, under existing laws, when this act takes effect, such court shall continue and end its term under such existing laws as if no change in the time of holding courts in said district had been made, and all process, writs, judgments, decrees and other proceedings in said court during such time shall be valid to all intents and purposes and shall not be affected by the changes in the time of holding court therein made by this act, but after the period provided in the above contingency the district courts of the respective counties and in the respective judicial districts herein mentioned shall be held in conformity with the terms as herein prescribed.

"Sec. 7. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

"Sec. 8. The fact that the litigation is rapidly increasing in several of the counties of the Thirty-first Judicial District, and the court dockets of said counties are thereby becoming congested, creates an emergency and an imperative public necessity, requiring the suspension of the constitutional rule requiring bills to be read on three several days, said rule is hereby suspended,

and this act shall take effect and be in force from and after its passage, and it is so enacted."

Amend House bill No. 52 by striking out all preceding the enacting clause and insert in lieu thereof the following:

"H. B. No. 52. A bill to be entitled, An Act to amend H. B. No. 369 of the Acts of the Thirty-ninth Legislature, Regular Session, Chapter 86, and providing for the reorganization of the Thirty-first Judicial District of Texas, naming the counties constituting the same, creating and organizing the One Hundred Seventh Judicial District of Texas and naming the counties therein, fixing the times and terms of the district courts in the several counties of said two judicial districts, providing for the appointment of a district judge and district attorney of the One Hundred Seventh Judicial District hereby created; providing further that the Honorable W. R. Ewing and J. A. Holmes shall remain as officers of the reorganized Thirty-first Judicial District; providing further that process issued, and bonds and recognizances made, and grand and petit jurors, drawn to the terms now fixed by law, before the taking effect of this act, shall be valid for and returnable to the several terms as herein set forth; fixing the time of taking effect of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The (committee) amendments were severally adopted.

House bill No. 52 was then passed to engrossment.

HOUSE BILL NO. 52 ON THIRD READING.

Mr. Satterwhite moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 52 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

Acker.	Branch.
Alexander.	Brown.
Anderson.	Conway.
Avis.	Cornwell.
Barnett.	Cox.
Bass.	Cummings.
Bateman.	Dale.
Beck.	Daniel.
Bird.	DeBerry.
Black.	Denman.
Boggs.	Dunlap.
Boon.	Durham.

Duvall.	Parrish of Travis.
Enderby.	Poage.
Farrar.	Pope.
Faulk.	Powell.
Finlay.	Purl.
Fly.	Ramsey.
Forbes.	Reagan.
Fuchs.	Renfro
Gates.	of Angelina
Gibson.	Rogers of Shelby.
Graves.	Sanders.
Gray.	Satterwhite.
Hagaman.	Shaver.
Hall.	Shearer.
Harding.	Sheats.
Hefley.	Shirley.
Holder.	Simmons.
Hornaday.	Sinks.
Jacks.	Smith of El Paso.
Johnson.	Smith of Nueces.
Jones.	Smith of Smith.
Justice.	Smyth.
Kincaid.	Snelgrove.
King of Hopkins.	Stevenson
King of	Storey.
Throckmorton.	Stout.
Kirby.	Sutton.
Kirkland.	Swain.
Land.	Taylor.
Lipscomb.	Teer.
Long.	Tillotson.
Masterson.	Waddell.
McCombs.	Walker.
McGill.	Wallace
McKean.	of Freestone.
Merritt.	Wallace of Smith.
Minor.	Ware.
Montgomery.	Webb.
Moore.	Wells.
Moursund.	Whitaker.
Murphy.	Williams
Nabors.	of Sabine.
Nicholson.	Williamson.
Olsen.	Woodruff.
Parish	Young.
of Runnels.	

Nays—9.

Albritton.	Kennedy.
Davis.	Loy.
Eickenroht.	Pearce.
High.	Van Zandt.
Kayton.	

Present—Not Voting.

Stell.	Woodall.
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Absent.

Barron.	Morse.
Bonham.	Pavlica.
Dielmann.	Petsch.
Gilbert.	Pool.
Harman.	Porter.
Holland.	Rawlins.
Kemble.	Renfro of Mills.
Loftin.	Rogers of Hays.

Runge.	Williams
Veatch.	of Travis.
Wallace of Panola.	

Absent—Excused.

Foster.	Smith
Kenyon.	of Atascosa.
Kinnear.	Turner.
Kittrell.	Wassell.
Rowell.	

The Speaker then laid House bill No. 52 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—108.

Acker.	King of
Alexander.	Throckmorton.
Anderson.	Kirby.
Avis.	Kirkland.
Barnett.	Land.
Bass.	Lipscomb.
Bateman.	Long.
Beck.	Masterson.
Bird.	McCombs.
Black.	McGill.
Boggs.	McKean.
Bonham.	Merritt.
Boon.	Minor.
Branch.	Montgomery.
Conway.	Moore.
Cornwell.	Moursund.
Cox.	Murphy.
Cummings.	Nabors.
Dale.	Nicholson.
Daniel.	Olsen.
DeBerry.	Parish
Denman.	of Runnels.
Dunlap.	Parrish of Travis.
Durham.	Pearce.
Duvall.	Poage.
Enderby.	Pool.
Farrar.	Pope.
Faulk.	Porter.
Forbes.	Powell.
Fuchs.	Purl.
Gates.	Ramsey.
Gibson.	Renfro
Gilbert.	of Angelina.
Graves.	Rogers of Shelby.
Gray.	Sanders.
Hagaman.	Satterwhite.
Hall.	Shaver.
Harding.	Shearer.
Harman.	Sheats.
Hefley.	Shirley.
Hornaday.	Simmons.
Jacks.	Sinks.
Johnson.	Smith of Nueces.
Jones.	Smith of Smith.
Justice.	Smyth.
Kayton.	Snelgrove.
Kincaid.	Stevenson.
King of Hopkins.	Stout.

Sutton.	Wallace of Smith.
Swain.	Webb.
Taylor.	Wells.
Teer.	Whitaker.
Tillotson.	Williams
Van Zandt.	of Sabine.
Waddell.	Williams
Walker.	of Travis.
Wallace	Williamson.
of Freestone.	Young.

Nays—5.

Albritton.	Kennedy.
Davis.	Loy.
Eickenroht.	

Present—Not Voting.

High.	Woodall.
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Absent.

Barron.	Rawlins.
Brown.	Reagan.
Dielmann.	Renfro of Mills.
Finlay.	Rogers of Hays.
Fly.	Runge.
Holder.	Smith of El Paso.
Holland.	Stell.
Kemble.	Storey.
Loftin.	Veatch.
Morse.	Wallace of Panola.
Pavlica.	Ware.
Petsch.	Woodruff.

Absent—Excused.

Foster.	Smith
Kenyon.	of Atascosa.
Kinnear.	Turner.
Kittrell.	Wassell.
Rowell.	

(Speaker in the chair.)

ADDRESS BY GOVERNOR MOODY.

(In Joint Session.)

In accordance with the concurrent action of the two houses, the House and the Senate met in Joint Session at 11 o'clock a. m. for the purpose of hearing an address by Honorable Dan Moody, Governor.

At the hour of 11 o'clock a. m. the Honorable Senate was announced at the bar of the House and, being admitted, were escorted to seats already prepared for them along the aisles.

The Lieutenant Governor, being invited, occupied a seat on the Speaker's stand.

The Secretary of the Senate was directed to call the roll of the Senate, and the following Senators answered to their names:

Bailey.	Parr.
Berkeley.	Price.
Bledsoe.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Absent.

Bowers.	Pollard.
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The Lieutenant Governor announced a quorum of the Senate present.

The Speaker directed the Clerk to call the roll of the House.

The roll was called and the following members answered to their names:

Acker.	Graves.
Albritton.	Gray.
Alexander.	Hagaman.
Anderson.	Hall.
Avis.	Harding.
Barnett.	Harman.
Barron.	Hefley.
Bass.	High.
Bateman.	Holder.
Beck.	Holland.
Bird.	Hornaday.
Black.	Jacks.
Boggs.	Johnson.
Bonham.	Jones.
Boon.	Justice.
Branch.	Kayton.
Brown.	Kemble.
Conway.	Kennedy.
Cornwell.	Kincaid.
Cox.	King of Hopkins.
Cummings.	King of
Dale.	Throckmorton.
Daniel.	Kirby.
Davis.	Kirkland.
DeBerry.	Land.
Denman.	Lipscomb.
Dielmann.	Loftin.
Dunlap.	Long.
Durham.	Loy.
Duvall.	Masterson.
Enderby.	McCombs.
Eickenroht.	McGill.
Farrar.	McKean.
Faulk.	Merritt.
Finlay.	Minor.
Fly.	Montgomery.
Forbes.	Moore.
Fuchs.	Morse.
Gates.	Moursund.
Gibson.	Murphy.
Gilbert.	Nabors.

Nicholson.	Smith of Smith.
Olsen.	Smyth.
Parish	Snelgrove.
of Rannels.	Stell.
Parrish of Travis.	Stevenson.
Pearce.	Storey.
Petsch.	Stout.
Poage.	Sutton.
Pool.	Swain.
Pope.	Taylor.
Porter.	Teer.
Powell.	Tillotson.
Purl.	Van Zandt.
Ramsey.	Veatch.
Rawlins.	Waddell.
Reagan.	Walker.
Renfro	Wallace
of Angelina.	of Freestone.
Renfro of Mills.	Wallace of Panola.
Rogers of Hays.	Wallace of Smith.
Rogers of Shelby.	Ware.
Runge.	Webb.
Sanders.	Wells.
Satterwhite.	Whitaker.
Shaver.	Williams
Shearer.	of Sabine.
Sheats.	Williams
Shirley.	of Travis.
Simmons.	Williamson.
Sinks.	Woodall.
Smith of El Paso.	Woodruff.
Smith of Nueces.	Young.

Absent.

Pavlica.

Absent—Excused.

Foster.	Smith
Kenyon.	of Atascosa.
Kinnear.	Turner.
Kittrell.	Wassell.
Rowell.	

The Speaker announced a quorum of the House present.

The committee appointed by the Speaker to escort Governor Moody to the Hall of the House of Representatives appeared at the bar of the House, in company with Governor Moody, and being admitted, occupied seats on the Speaker's stand.

Speaker Bobbitt presented Honorable Barry Miller, Lieutenant Governor, who presented Governor Moody to the Joint Session.

Governor Moody then addressed the Joint Session, presenting the following message:

To the Members of the Fortieth Legislature:

Obedient to that provision of the Constitution of this State which makes it the duty of the Governor, at the com-

mencement of each session of the Legislature, by message to address the Legislature on the condition of the State, and to recommend such measures as he may deem expedient, I herein submit to you my views upon those subjects now demanding your consideration.

I felicitate the members of the Legislature upon the opportunity now presented to them for public service. You have been chosen by the people at a time when our State needs constructive legislation, and when questions of tremendous importance are to be decided. As the repository of the power of five million people of Texas, yours is the privilege, through beneficent and wise legislation, to improve the condition of our State, and to promote the prosperity and happiness of our people. What you do here touches practically every activity of human conduct and every enterprise and business in which men engage. I hope that all of us alike may pursue a progressive policy toward the diverse problems affecting the public interest. Without being reactionary, let us in our attempts to build for the progress of our State, profit in our day by all the experience of the past in the development of our government, under whose benign influence our people have been blessed with prosperity and contentment. The far-reaching influence of your acts, the effect which they are to have upon the present and future generations, and the sacred trust which the citizenship of this State has confided into your keeping as members of the Legislature, and into mine as the Executive, demand that we divest ourselves of all partisan or selfish interest, and look with an eye single to the accomplishment of the people's will, the development of the Commonwealth, and the promotion of the public welfare.

I believe it to be an axiom of political science that it is better to have a few laws wisely enacted and well administered, than to attempt to regulate all the details of human conduct by legislation. I further believe that a wholesome respect for the laws of our country is essential to the good order of society, and that to secure respect for law it is necessary that the law itself be kept respectable. Hasty and ill-considered legislation may be beneficial in some instances, but in the enactment of laws that are to govern the conduct of society and control the lives of our people great care and consideration should be given

to see that all measures enacted are wise, wholesome and needed. An eminent jurist of our State has stated that "a large statute book does not always denote wholesome laws wisely enacted." I wish to urge the most thoughtful and thorough consideration of every bill proposed for enactment. Therefore, I state to you at the beginning of this session, and of my administration, that I shall not urge this Legislature to be hasty in its deliberations and advance the date of its adjournment. On the contrary, I respectfully request of you the most serious and deliberate consideration of those subjects that may come before your body. I shall not hesitate, if the time prescribed by the Constitution for the regular session of this Legislature is not sufficient, to convene the Legislature promptly in special session for the purpose of completing its duties. I do not mean to suggest the practice of dilatory tactics,—and I am certain that the character of this Legislature and the high conception of duty which its members hold would prevent such practice,—but I mean to say that such time as is needed for the mature consideration of the people's business will be granted.

I believe that the three departments of government should, as is contemplated by the Constitution, be kept distinct and independent. I shall not attempt to infringe upon the rights of either the legislative or judicial departments. However, as the Constitution gives the Executive the power to suggest, and the Legislature the power to enact, and the Executive the power to approve or disapprove, I offer and ask the largest measure of co-operation and friendly feeling between your body and the Executive Office.

From information furnished me by other officers of the State Government, the following figures are given with reference to the financial condition of the State. The amount of unused appropriations made for the present fiscal year is the sum of \$14,121,320.50. Deficiency appropriations have been authorized by the Executive Office, since the last session of the Legislature and prior to January 1, 1927, in the sum of \$180,500. There were issued prior to January 1, 1927, for sheriffs' and other officers' accounts, deficiency warrants in the sum of \$56,627.84, and to this is to be added the estimated amount of deficiencies to be issued for these accounts during the remainder of the fiscal year,

which estimated amount is the sum of \$200,000. The amount of prior appropriations unused to January 1, 1927, is \$2,380,250.24. The total of these figures is \$16,938,698.58, which represents the amount of money that may be drawn against the income of the State during the remainder of the fiscal year. It is estimated that the receipts for the fiscal year ending August 31, 1927, will be the sum of \$18,415,720.15, of which \$4,224,157.64 has heretofore been collected, leaving the estimated net income of the State for the year ending August 31, 1927, at \$14,502,426.39. On the 31st of December, 1926, there was in the general revenue fund of the State Treasury the sum of \$1,342,967.12, with outstanding warrants against it amounting to \$681,045.22.

It appears that a deficit in the revenues of the State between now and the close of the fiscal year is inevitable, and that it will amount to possibly \$2,000,000. If the usual appropriations for education and for the available school fund had been made by the preceding Legislature, a deficiency would already have occurred. I mention this in the hope that the Legislature will co-operate with the Executive Office in an effort so to adjust matters that the prospective deficiency may be prevented.

The budget prepared by the Board of Control for the ensuing biennium recommends the appropriation of \$37,748,058.56 for the support of the government in its various functions. The State should not be penurious, but the exaction of a greater tribute by way of taxes levied and collected than is necessary for the efficient and economical administration of the government is to be condemned.

I urge that the Legislature in the appropriation of the public revenues bend every effort toward the utmost degree of frugality consistent with the functions of government. Necessary activities of the government should not be crippled for the want of sufficient funds, but in the expenditure of the people's money let us realize that they have no security for the practice of economy except in the fidelity of their public officials. As in all other affairs, it is our solemn duty to protect the interests of the people of our State, and the spirit of the Constitution with regard to appropriations should be strictly observed.

As a program of legislation contemplating improvements of conditions in

our State, I suggest for your consideration the following subjects:

1. Correction of existing tax evils and abuses by the development of a scientific system of taxation.

2. Reform in our judicial system and court procedure calculated to accomplish a surer, more speedy, economical and equable administration of justice fairly to bring justice more nearly within the reach of rich and poor alike.

3. The enactment of a classified civil service law.

4. Provision for a unified system of accounting for all State departments.

5. The enactment of laws to protect the public from the indiscriminate pardoning of criminals, and to insure an opportunity for a full and complete hearing of both sides in every application for the granting of a pardon, and if necessary to these ends amend the Constitution.

6. The efficient and economical development of a system of correlated State highways, taking care to safeguard against the evils shown to exist in the administration of highway affairs in this State, and providing an equitable means of securing adequate revenues for the Highway Department.

7. The improvement of our election laws.

8. The amendment of our law with reference to libel.

9. The enactment of legislation to carry into effect the recently adopted amendments to the Constitution and to provide for improvement in our State penitentiary system.

10. The co-ordination of our educational institutions, the elimination of all duplications, and the provision of a stabilized income therefor.

11. The further development of our ports to the end that the products of Texas, transported through them, may enjoy the benefits of the saving incident to water transportation.

Taxation.

The original system of taxation employed in this State for the raising of revenue has been found insufficient to supply the needed revenues and from time to time has been patched by the passage of additional tax measures. As new activities of the government have been multiplied the population of the State has grown, and increased demand for taxes necessitated, the Legislature has been forced to look about for addi-

tional sources of supply for needed revenues. The existing system of taxation has been built up with lack of regard for a scientific and just distribution of the burdens of government. In addition, our taxes are collected and paid into the Treasury at considerable expense, which in the end amounts to a loss to the State. The provision contained in our Constitution that "taxation shall be equal and uniform" had a most praiseworthy purpose. Our taxes should be so levied that the burden will fall equitably and uniformly upon the citizenship of this State. It is conceivable that the object of that provision of the Constitution was none other than declaration against any situation which might bring about unequal or unfair taxation, but the interpretation which has been placed upon this provision has made it an obstacle to improvement.

I approach this question conscious of the fact that a prejudice exists against molesting our tax laws. But in spite of this prejudice. I believe that possibilities for the good of Texas lie in some revision of our system of taxation.

At the present time an ad valorem tax is levied on all property in the State, and the burdens of taxation vary as the valuations of the property vary, with the result that the tax is neither equal nor uniform. In many instances the tax upon land and many other properties is unfairly burdensome when the revenue received by the owner from the property is considered. I do not advocate an increase of taxes; but through frugal administration of public affairs and through a correction of existing inequalities I hope that you may be able to relieve the people of some of their tax burdens.

I suggest to the Legislature with reference to this matter the following program:

That the Legislature submit to the people an amendment to the provisions of the Constitution herein referred to, which would permit the Legislature to enact laws separating the subjects of taxation. I have in mind the ultimate purpose that the Legislature may enact laws permitting each county to levy an ad valorem tax for the support of the functions of government of the county, and that such taxes as involve gross receipts, the inheritance, various occupations, intangible assets, and other taxes, which affect acts and things Statewide in their nature, be levied directly by the State and paid quarterly

into the State Treasury. In this manner each county would support, through its ad valorem tax, its own activities of government; and in one county the rate levied for county purposes on the value of the property might be low and the rendition high, and in another county the rendition low and the rate high, as the counties might determine; but ample revenue from those sources made the subject of taxation for State support would be paid directly into the State Treasury. This would prevent a deficit in the revenues of the State at any time, save much of the cost of collection of these taxes, and minimize the danger of extravagant appropriations through the accumulation of a large surplus.

As an aid to the foregoing suggestion, I recommend to the Legislature that provision be made for a scientific investigation of taxable resources in this State by a committee of citizens and experts to be appointed and employed under appropriate acts of the Legislature. The survey should be thorough and a report submitted to the Legislature of the results and recommendations. If the Legislature should see fit to adopt this policy, and such a committee be appointed which would report within the next two years, it would be my policy to convene the Legislature to hear its report and to take such action thereon as the Legislature in its wisdom might determine.

Judicial Reform.

Under judicial reform I have several specific suggestions to make, which are as follows:

1. That the Legislature submit to the people at the earliest time possible a general revision of Article V of the Constitution of Texas.

It should be provided that the Supreme Court consist of not less than nine members. The cases coming before the Supreme Court have grown so great in number that the inability of three men to dispose of them has been clearly established. The present system of a Supreme Court and two Commissions of Appeals is the equivalent in cost of a Supreme Court of nine members, but it cannot dispose of the business with the dispatch and certainty of a Supreme Court of nine members. Under the present system the case is argued before three judges, and the three units work separately,—two units being without authority, except as their opinions are reviewed and approved by the Supreme Court. The opinions of the Commission of Appeals, when approved and adopted by the Supreme Court, have the

force to decide important questions of law of far-reaching effect, but the questions have never been argued before the court which must approve the opinions, and the volume of business must limit the court to a superficial examination of the questions involved. The court necessarily gives of its time to a review of the opinions prepared by the commissions, with the result that three men are checking the work of six. Since the business of the court calls for nine judges, the State should have a Supreme Court of nine members, rather than have six men working simply as aid to the three members of the court. An increase in the personnel of the Supreme Court to nine members would not result in additional cost to the people of Texas, and it would aid in the speedy administration of justice.

2. The rules of practice and procedure should not be mandatory, but directory, and the Supreme Court should have power to establish the rules of procedure in civil causes, and be given proper aid to that end by the creation of an advisory judicial council composed of representatives from the several courts, members of the bar and outstanding laymen.

3. Abolish all distinctions between first and second applications. The law regarding the first application for a continuation in both civil and criminal cases should be amended to facilitate the bringing of cases to trial.

4. Articles 1256 and 1257 of the Penal Code should be amended so as to read as follows:

"Article 1256. Whoever shall voluntarily and intentionally kill any person within this State shall be guilty of murder. Murder is distinguished from every other species of homicide by the absence of circumstances which reduce the offense to negligent homicide, or which excuse or justify the killing."

"Article 1257. The punishment for murder shall be death or confinement in the penitentiary for life, or for any term of years not less than two."

Such other amendments should be made to Chapters 15 and 16 of the Penal Code as are necessary to carry out the intention of the two amendments above suggested.

In the enforcement of the criminal laws there is perhaps no greater difficulty experienced by the court than to determine when, under what circumstances and how to charge on the offense of manslaughter. Many convictions for felonious homicide in this State are reversed

because of errors relating to the charge on manslaughter. From the standpoint of the district and county attorneys in Texas, the greatest difficulty in enforcing the laws against homicide arises out of the distinction between a voluntary homicide committed under the immediate influence of sudden passion, arising from an adequate cause, called "manslaughter," and a homicide committed upon malice aforethought called "murder."

The existence of certain facts is recognized by the law as ameliorating or extenuating circumstances which reduce the homicide to the grade of manslaughter. In the practical application of law and the administration of justice, the jury does not need any highly technical rule of law to distinguish between the punishment merited by one who upon malice aforethought has taken human life, and the one who, in resenting insulting acts or insulting words or conduct of the person killed toward a female relative, has taken human life. Those normal impulses which animate mankind will come to the relief of the one who actually kills under the immediate influence of sudden passion, with the statute upon the book as above suggested, just as readily as they would under the present statute on manslaughter with a technical charge on the law. If the law should be changed as suggested above, the accused would be tried, convicted and punished under a simplified law, and society would not be compelled to stand the cost of an appeal to demonstrate the accuracy or inaccuracy of an academic contention for a principle of law. While the case is in process of appeal, justice is delayed, the accused enjoys his liberty, and those criminally inclined feel no terror for the punishment of the law or respect for its mandates. Human life should be made more safe and more sacred in Texas.

5. Section 5 of Article V of the Constitution provides that "the Court of Criminal Appeals shall have appellate jurisdiction, co-extensive with the limits of the State, in all criminal cases of whatever grade, with such exceptions and under such regulations as may be prescribed by law." Many cases are appealed to the Court of Criminal Appeals for no other purpose than to delay the administration of justice.

I suggest that adequate legislation be adopted to provide that in all criminal cases the accused or his counsel shall, within thirty days after the judg-

ment of conviction or the order overruling the motion for new trial, present to the trial judge for his approval, and file with the clerk of the trial court, an original and copy of defendant's statement of the matters and things complained of as error and upon which the appeal is to be based; that the copy of such statement, when approved by the court as specifying matters which have actually transpired in the trial of the case, shall be certified by the clerk of the trial court and shall be filed with the clerk of the Court of Criminal Appeals within ten days next after being filed in the office of the clerk of the trial court; that when such copy, properly approved and certified, is filed with the clerk of the Court of Criminal Appeals he shall enter same upon a proper docket or book to be kept by the clerk of that court, and call the attention of the Court of Criminal Appeals thereto; that from an examination of such statement, the Court of Criminal Appeals shall direct that the case be affirmed; or that the case be reversed and remanded; or that the case be reversed and dismissed; or that the clerk of the appellate court shall direct the clerk of the trial court to prepare a transcript of the record and transmit the same to the Court of Criminal Appeals for a review of the case; or make such other order respecting the appeal as the statement may show to be necessary to promote the fair administration of justice.

Such a system would not deprive any defendant of the right to carry his alleged errors on the part of the trial court before the appellate court for a review of the questions, and it would enable the appellate court rapidly and speedily to dispose of those cases presenting no merit; and sentences on pleas of guilty and other cases, where an appeal is taken for no other purpose than to secure delay, would be carried out within a few days after the judgment of the trial court had been entered. This principle may be successfully applied to the appeal of civil cases.

6. That Articles 650-653, Code of Criminal Procedure, be amended so as to provide that where several defendants are indicted jointly, severance shall not be a matter of right, but shall rest in the sound discretion of the trial court; that each defendant shall be allowed to testify; and that, where severance is granted, the order of trial may be determined by the court, or the defendants, as is now provided by law.

7. I suggest that provision be made that the clerk of each of the several district courts of this State shall, by the first of June each year, file with the clerk of the Supreme Court of Texas a statement of the condition of the docket of the court of which he is clerk, showing the number of cases filed, and the number disposed of, and the number remaining on the docket, so that the Supreme Court may have information before it at all times as to the condition of the dockets of the several district courts of this State. Provision should then be made, even if requiring a constitutional amendment, giving the Supreme Court power, upon its own motion or at the request of the district judge of any judicial district of the State, to send another judge to the district to assist in relieving the congested condition of the docket. There is a constant demand for an increase in the number of judicial districts in the State, whereas, in many judicial districts the amount of business does not demand all of the attention of the district judge. By making provision for the power in the Supreme Court to assign judges from one district to another for the purpose of disposing of congested litigation, the State could be saved money and the administration of justice promoted.

Civil Service.

I believe that those who direct governmental policies should be responsive to public opinion, and that the appointive heads of department should be subject to change with changing administrations, and that only those whose views are in accord with the prevailing popular will should formulate the policies which are to control the operations of government. This principle, however, does not extend to subordinate employees, and particularly to those places under the government requiring technical knowledge and skill: and I believe that greater efficiency in the administration of government would be insured through the enactment of a classified civil service act which shall protect technical experts and subordinate employees in the service of the State by securing their tenure of office through changing administrations. I have consistently urged, as a sound policy of State government, the establishment of a system of merit for the civil service of the State, and urge upon the Legislature the most careful consideration of the subject by them, and that a measure wisely adapted to the conditions and requirements of Texas providing for a classified civil service be adopted.

I believe that the system can be adopted without increased cost to the taxpayers of Texas by employing some of the existing agencies of the government as a civil service commission, and that such employees as may be necessary to carry the system into effect can be paid from the fees incident to the examination of applicants. The clerks of the appellate courts of last resort are removed from the appointment of the Governor and from his political influence, and could be utilized as a civil service commission.

In this connection, I digress to suggest to you that the constantly increasing call upon the Legislature, through the past few years, for more State employees, has very likely given the State employees that are not actually needed in the civil branches of the government. I want urgently to request that the Appropriations Committee of the House, the Finance Committee of the Senate, and the Representatives and Senators, in preparing the appropriation bill, give attention to this matter, to the end that appropriations be made for only those employees whose services are needed.

Departmental Accounting.

Provision should be made for a modern uniform system of accounting in the departments of the State government; also that the Board of Control annually audit the books and accounts of such departments, using its own experts for that purpose. An investigation by this Legislature into the matter of accounting heretofore employed by the Highway Department will immediately reveal the wisdom of such enactment as is here proposed.

Pardons.

In considering applications for pardon, I believe that whoever under the Constitution exercises the pardoning power should assume that the prisoner has been legally convicted, and that the jury or judge, upon a knowledge of the facts and circumstances, has fairly fixed his punishment, unless the contrary be made to appear with certainty. I do not believe that judgments of conviction should be impeached by executive proclamation. I believe in the reasonable exercise of the pardoning power and that each application should be considered upon its merits. The power should be exercised only when the purpose of the punishment has been accomplished.

I advocate the passage of a law which shall provide that upon the filing of

an application with the Board of Pardon Advisors, the secretary or clerk of the board shall notify the prosecuting officer and sheriff of the county in which the applicant was convicted, that such application has been filed and that they will be given a specified time within which to offer reasons why the pardon should not be granted.

Revised Statutes.

At the last Regular Session of the Legislature, the Revised Civil Statutes of 1925 were adopted. It was developed that there are many inaccuracies and imperfections in this work, and that statutes affecting valuable rights have been either omitted or materially changed through inadvertence. I recommend that the Legislature make provision for the appointment or selection of some person to examine the statutes and point out and report to the Legislature such errors, so that the same may be corrected at as early a date as possible.

State Highways.

Provision should be made for necessary funds for the establishment, development and maintenance of a system of public roads. The designation of between 20,000 and 25,000 miles of highway (and it is surprising to say that the exact figures as to mileage seems to be inaccessible), has materially increased the burden of highway administration in Texas. Many miles of these roads are difficult, if not impossible, of proper maintenance. The demands upon the highway fund for maintenance of this extensive mileage have substantially reduced the amount of money available for building permanent roads upon which the maintenance cost is low. I am advised by the Federal authorities that the maintenance of highways in this State is not satisfactory, in that it does not measure up to the standards set by the Federal Bureau of Public Roads.

I respectfully ask that before attempting to provide adequate revenues for the support of the highway program, you obtain complete information as to the present status of the department. The obligations first, for maintenance; second, for contracts let and in course of performance, and third, for allotments promised, will total an enormous sum. Information thus gathered will show the necessity of a stabilized income for this department, if the present obligations of the department are

to be met, and a systematic plan for the construction of a correlated system of highways developed and carried out. I trust that you will be able to see that this income is made available. I want to suggest to you that some of the proposals that have been made will not meet the needs of the situation which confronts us, but will actually reduce the revenues of the highway fund.

The promises of liberal allotments made during the past two years, the designation of many miles of highways with the resulting increase of the maintenance item, together with the unsatisfactory character of maintenance necessary, have made the demands upon funds of the Highway Department much greater than they would have been under a sound management of our highway affairs. But the situation is one which must be faced. It is desirable to match all Federal aid available and that must be taken into account in determining the revenues needed. The policy of this State has been to use the gasoline tax as a source of revenue for the highway fund. It is my purpose and endeavor to avoid tax increases and, by co-operating with the Legislature and by insisting upon the practice of frugality on the part of all public employes, I hope to accomplish a saving to the people of Texas. And to this policy I firmly commit myself. If you find, as I believe you will, from an investigation of the Highway Department, that additional revenues are needed now by the highway fund, I suggest that you look to the gasoline tax as a means of supplying this revenue. I will add, however, that I hope that, as one result of the general readjustment of our taxing system suggested in other portions of this message, some form of stabilized income will be made available to the Highway Department sufficient to meet the growing development of our highway system.

Appropriate legislation should be passed to aid in the building of lateral roads extending out to the farms which are now on mud roads, but which bear a part of the tax to build good roads. The revenues available for road purposes should be equitably divided between the State and counties, so that the counties will be able to improve these roads. This will reduce the number of requests for designation of highways, and ultimately reduce the amount which the State is now required to spend in the maintenance of highways. Certainly the State cannot build and maintain a high-

way in front of every man's door, but the thousands of our citizens who live far removed from the improved highways should receive consideration at your hands. It should be remembered that all these desire and need better roads, and that an equitable basis of division should be adopted to the end that the interests of the people living on the farms may be properly safeguarded in the development of our highway system. In the general readjustment of our taxing system suggested elsewhere in this message, means should be provided for the support of county road programs.

I do not believe that the Legislature can well afford to undertake by legislative enactment to fix the general policy of the Highway Department.

I do believe, however, a great improvement of our highway system can be accomplished by adopting the following policies:

1. That the Highway Commission shall cause to be made, under the supervision of its engineering force, a survey of all designated roads; and that such roads shall be classed as first, second and third class, according to character of construction, traffic demands, and relative importance in a connected and correlated system of public highways.

2. That in the construction of public roads, regardless of the funds used in the construction thereof, durable types of road-building material should be used, demanding only the minimum amount of maintenance, with the view of keeping a connected system of principal highways intended to serve the greatest number of citizens. Where roads are built from State and Federal funds, the plans should contemplate the completion of the principal highways of the State, accommodation of the greatest number of people and the heaviest traffic. Where the funds available are insufficient to construct a road of durable type, the effort should be to use a type of construction which may be maintained at a minimum cost until funds are available to complete the road with a more durable character of construction.

3. That the advice of the engineers and technical experts employed by the Highway Commission shall be followed in so far as possible and consonant with the good of the system.

4. That the program of maintenance of the large mileage of designated highways consisting of dirt and other unim-

proved roads which, for lack of funds, cannot be made into durable highways in the immediate future should include the substantial betterment year by year of such roads by proper drainage, grading and repairing of structures and using good material which would increase the serviceability at small cost.

That the Highway Department shall at all times retain direct supervision over all maintenance work, but when practicable funds should be allotted to the counties by the Highway Commission from the highway fund to be used exclusively in the maintenance of designated highways within the respective counties to which the funds are allotted; or when practicable, contract relations shall be established between the Highway Department and the counties for the maintenance of designated highways. Such maintenance to be subject to the supervision, and under the direction of the maintenance engineer and the district engineers of the Highway Department. This plan does not contemplate the surrender of maintenance of designated highways to the counties, but rather that the Commission shall have the assistance of the counties in the accomplishment of proper maintenance and that the Commission shall at all times reserve the right to take over the work assigned the county organization whenever and wherever the arrangement is not found to be satisfactory. Otherwise, a patrol system of maintenance should be established along economical lines.

It may be that some of these are matters of policy which should be left to the Highway Commission, rather than be made the subject of legislative enactments. I realize that as conditions change from time to time, a change of policy for the improvement of the road system should not be made impossible because of the existence of some legislative enactment.

I favor giving the counties a larger voice in the administration of highway affairs; and as a protection against waste and extravagance I advocate the passage of a law which will give the commissioners court of a county in which a highway is to be constructed, by the use in whole or in part of county funds, the right of representation to the extent that it shall have the privilege of a representative of the county to sit with the Highway Commission and have a voice in the selection of the type of construction and in awarding the contract.

Election Laws.

Our primary election laws do not afford the best means of making an intelligent selection by the people of their public officers, and I suggest for your consideration a revision of the statutes regulating primary elections so as better to secure an expression of the will of the people in the selection of nominees. I reserve definite recommendations with reference to this matter for a message which I will at a later date transmit for your consideration.

Libel Laws.

I favor a just and fair libel law which will protect newspapers and other publications in conveying information to the public. The newspapers and other publications should be, as they are, privileged to give a fair and accurate account of things said and done at public meetings. I favor the enactment of a law which will make proof that the thing reported to have been said or done at the public meeting was actually said or done, a defense to an action for libel brought thereon, without requiring that the defendant, which is merely a medium of information, be required to prove the truth of the thing said. I recommend that Article 5431, Revised Statutes, be amended so as to provide that in any action for libel the defendant may give in evidence, if specially pleaded, in mitigation of damages, the circumstances and intentions under which the libelous publication was made, and any public apology, correction or retraction made and published by him of the libel complained of.

Constitutional Amendments—Prison System.

I advocate that proper measures be passed to carry into effect the recently adopted amendments to the Constitution; and specifically suggest the enactment of a measure to carry out the amendment with reference to the management of the penitentiary.

The policy of our State toward our penal institutions should contemplate their maintenance upon a self-supporting basis through the application of proper economic methods and the salvaging of the inmates for useful citizenship by securing satisfactory sociological conditions. Proper management would segregate the young from the old seasoned criminals, and the diseased from the healthy, and the humanity of those in charge should see that the sick are prop-

erly cared for without the interposition of legislation. However, if in your wisdom, with the counsel of your members who have been students of the prison system, you believe that it is necessary by law to insure proper sociological methods, I do not expect to do other than approve such legislation. Economic and sociological methods, as applied to penal institutions, are so closely connected and interwoven that it is difficult to separate the two. A self-supporting penal institution contemplates the furnishing of regular work for the inmates as a basis for reformation, and it teaches industry so that the prisoner, when returned to society, will be in a position to earn an honest living. This illustrates the close connection between the questions of economics and sociology as applied to the prison system, and that the proper solution of the one goes far in the solution of the other question.

In an effort to bring about the proper economic conditions in the State penitentiary, the people adopted the recent amendment to the Constitution, and this Legislature should pass appropriate acts to carry that amendment into effect. I respectfully suggest that an act be passed providing for the creation of a prison board, fixing the number of members, the term of each member and prescribing the time of meeting. The commission should not be a salaried board, but its members should be paid their expenses and a nominal sum for the time spent in attending meetings and visiting the prison system. The Executive Office will be charged with the responsibility for the management of the prison system, and its affairs should not be entirely removed from the Governor's control. Therefore I suggest that the board, with the consent of the Governor, be given power to select a manager. The salary of the manager should be fixed by law at a sufficient sum to insure that an experienced and trained man could be secured for the position. The board should have power to remove the manager, and the members of the board should be subject to removal as other officers, by quo warranto proceedings. The board should further have authority to buy and sell real estate for the prison system with the consent of the Governor. Some provision should be made to change the system of keeping the funds of the penitentiary in various banks and making the State Treasury the depository for the funds of that in-

stitution, with authority in the manager to approve accounts for payment by the issuance of warrants by the Comptroller and payment by the Treasurer, of a limited amount, without the consent of the board, but in any amount with the consent of the board. The manager should be required to report to the board and annually to the Governor. The manager, with the consent of the board, should have the power to prescribe reasonable rules and regulations governing the discipline of the prisoners, and he should have authority to employ and discharge other employes, with the consent and approval of the board.

I further suggest that you ascertain the present financial status of the penitentiary, and that you cause an inventory to be made of its property, based upon its present market value. When this has been done, the penitentiary should be placed upon a cash basis in as far as the revenues of the State will permit, so that the State may avoid the interest account incident to the obligations of the system and to the end that the State will not have to suffer a loss by buying at high prices on a credit basis. The plan of buying upon credit wherever credit can be secured, and operating the system on a twelve months' credit basis, suggests that the State has lost money, because the method requires the State to pay high prices.

Public Salaries.

It has been urged that laws be passed and amendments submitted providing for the increase of salaries of certain officers of the State government. I am not a believer in high salaries for public officers, but it is apparent that the salaries fixed by the Constitution written fifty years ago require, in some instances, unreasonable sacrifices in the holding of public offices. I favor reasonable increases in some of these salaries, and am willing to support such increases, provided the amendments submitted are to become effective at the expiration of the tenure of those in office at the time of the adoption of the amendment; but I am opposed to the increase of official salaries fixed by the Constitution except they be made to become effective after the expiration of the terms of the persons holding the offices affected at the time the amendment is submitted. I am not in sympathy with the position of a man who becomes a candidate for an office, and after his election seeks an increase of

his salary to become effective during his term, and I would be disposed to oppose any such measure affecting official salaries.

The continually changing value of the dollar and the expense incident to constitutional amendments suggest that the people might deem it wise to leave the matter of all official salaries to their representatives.

Education.

The Educational Survey Commission authorized by the Thirty-eighth Legislature has filed its report. In order that the people may profit from the results of this investigation, the Fortieth Legislature is urged to give the suggestions mentioned very careful consideration.

I favor a liberal policy toward our public school system and our institutions of higher learning, and I shall at a later date send you a further message upon this subject, making specific recommendations intended to improve our educational system and to secure an equality of educational opportunity to the boys and girls of Texas. In connection with the suggested changes in our system of taxation, I believe that an effort should be made to secure a stabilized income based upon the taxable wealth of the State for the support of our institutions of learning, so that every child shall have an equal opportunity to secure instruction for the same period or term.

At a later date I will have other suggestions to make to the Legislature of measures affecting the free textbook situation of this State.

Married Women.

The law provides that the courts shall have power to enter an order compelling the husband to furnish a reasonable allowance for the support of the wife out of the separate estate of the wife, but this provision is more or less meaningless in view of recent legislation with reference to the right to manage the wife's separate estate. When, however, the wife has no separate estate, and there occurs an estrangement between the husband and wife through the dereliction of the husband, no effective means is within the reach of the wife to force the husband to furnish her support. There are three remedies open to her: First, the civil liability of the husband for the necessities of the wife; second, divorce, and third, prosecution for non-support or substan-

tial desertion, and this can only be maintained where the wife is living in destitute or necessitous circumstances. Neither of these is adequate.

Provision should be made by law giving the wife during marriage the right to go into court and ask for an order compelling the husband to furnish a reasonable allowance, his circumstances and conditions in life being considered, for the support of the wife and children out of the community estate without suit for divorce. This remedy should at least be made available to a married woman in Texas.

Motor vehicles engaged in the transportation of passengers and freight as common carriers should be made subject to the reasonable regulation of the Railroad Commission. This should extend to route of travel, rates charged, and schedule, and the commission should have power to require operators to properly protect the public.

The future of our State depends in large measure upon the development of its agricultural possibilities. Farming enterprises should receive a reasonable return on the capital and labor invested as do other enterprises. Nothing is more important to Texas. The recurring periods of depression in the prices of agricultural products, which result from a production in excess of consumption and inadequate methods of distribution, seriously affect the prosperity of the people of this State. The law of economics, which has a more universal application than legislative enactments, is generally responsible for each change in the prosperity of our people engaged in agriculture. Legislative enactments cannot completely solve the question, but can only act as an aid in the solution. Your careful consideration of provisions for the development of adequate warehousing facilities, and encouragement of more judicious marketing of our staple crops, through legislation intended to promote the development of facilities for the co-operative marketing of agricultural products, may add to the protection of the wealth derived from the farming enterprise. Each of these is, in my judgment, an appropriate subject for your legislative consideration. However, the efficiency of any of these measures cannot be determined until the measure has been put to practical test.

Corrupt Practice Act.

I further recommend the passage of appropriate legislation to prohibit mem-

bers or officers of one department from accepting employment to practice before other departments of the State government, except the practice of attorneys before the courts and the Department of State and the Attorney General's Department and Board of Water Engineers. Legislation of this kind has been passed in other jurisdictions. It is wholesome, designed to promote the development of good government, and has met the test of the Constitution.

Conclusion.

Permit me to express the hope that this session of the Legislature may result in the accomplishment of good to the people of Texas. I offer you my fullest co-operation in all of your efforts to promote and develop our State and to bring prosperity and happiness to all the people. This is not now, and never has been, a State dominated by special interests and predatory wealth, but it is a State for the masses of the people, offering larger opportunity to the individual citizen than any other State of the American Union. Let us as servants of the people turn to the high duty of furthering the welfare and contentment of the splendid citizenship of our beloved State.

DAN MOODY,
Governor.

SENATE RETIRES.

On motion of Mr. Bledsoe, the Senate, at 12:30 o'clock p. m., retired to its Chamber.

RECESS.

On motion of Mr. Satterwhite, the House, at 12:30 o'clock p. m., took recess to 2:30 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2:30 o'clock p. m. and was called to order by the Speaker.

SENATE BILL NO. 26 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 26, A bill to be entitled "An Act ratifying and confirming the sale under execution heretofore made of the Motley County Railway, its properties, rights and franchise, to G. E. Hamilton, trustee for the Quanah, Acme & Pacific Railway Company,

and the authorizing of the transfer and conveyance by such trustee of such Motley County Railway, its properties, rights and franchises, to the Quanah, Acme and Pacific Railway Company, and granting authority to the Quanah, Acme and Pacific Railway Company to acquire and own such railway, its properties, rights and franchises and to consolidate said Motley County Railway, its properties, rights and franchises with the Quanah, Acme and Pacific Railway and maintain and operate the consolidated properties as one line of railway, under the name and style of Quanah, Acme and Pacific Railway Company; provided, such sale and transfer shall be made subject to all legal claims, debts, judgments, liens and other obligations now existing, or that may hereafter be filed or instituted against said Motley County Railway Company, or such trustee, and subject to pending suits or actions, or suits or actions that may be hereafter brought against said Motley County Railway Company, or such trustee, before the final consolidation of said railway has been effected, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 51 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 51, A bill to be entitled "An Act authorizing Wichita Falls & Southern Railroad Company and Wichita Falls, Ranger & Fort Worth Railroad Company, and their successors, lessees and assigns to use 3.6 cents per mile as the basic unit for the construction of all passenger fares for adults on and over their lines of railroad so long as such unit shall be used as the basis for passenger fares on the principal railroads of Texas, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 51 ON THIRD READING.

Mr. Daniel moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 51 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112.

Acker.	Merritt.
Albritton.	Minor.
Alexander.	Montgomery.
Avis.	Morse.
Barnett.	Moursund.
Barron.	Murphy.
Bass.	Nabors.
Bateman.	Olsen.
Beck.	Parish
Bird.	of Runnels.
Black.	Parrish of Travis.
Boggs.	Pavlica.
Bonham.	Petsch.
Boon.	Poage.
Branch.	Pool.
Conway.	Pope.
Cornwell.	Porter.
Cox.	Powell.
Cummings.	Purl.
Dale.	Ramsey.
Daniel.	Rawlins.
Davis.	Reagan.
Denman.	Renfro
Dielmann.	of Angelina.
Duvall.	Renfro of Mills.
Enderby.	Rogers of Hays.
Eickenroht.	Rogers of Shelby.
Farrar.	Runge.
Faulk.	Sanders.
Finlay.	Satterwhite.
Fly.	Shaver.
Forbes.	Shearer.
Fuchs.	Sheats.
Gibson.	Shirley.
Gilbert.	Simmons.
Gray.	Sinks.
Hall.	Smith of El Paso.
Harding.	Smith of Nueces.
Harman.	Smith of Smith.
Hefley.	Snelgrove.
High.	Stell.
Holder.	Stevenson.
Holland.	Storey.
Hornaday.	Stout.
Jacks.	Sutton.
Johnson.	Swain.
Jones.	Taylor.
Justice.	Waddell.
King of Hopkins.	Walker.
King of	Wallace of Panola.
Throckmorton.	Wallace of Smith.
Kirkland.	Webb.
Land.	Wells.
Lipscomb.	Whitaker.
Loftin.	Williams
Long.	of Sabine.
Loy.	Williams
Masterson.	of Travis.
McCombs.	Woodall.
McGill.	Young.
McKean.	

Nays—10.

Anderson.	Kayton.
DeBerry.	Kennedy.

Kincaid.	Van Zandt.
Pearce.	Ware.
Smith	Woodruff.
of Atascosa.	
Absent.	
Brown.	Moore.
Dunlap.	Nicholson.
Durham.	Smyth.
Gates.	Teer.
Graves.	Tillotson.
Hagaman.	Veatch.
Kemble.	Wallace
Kinnear.	of Freestone.
Kirby.	Williamson.

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kittrell.	Wassell.

The Speaker then laid Senate bill No. 51 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111.

Albritton.	Harding.
Anderson.	Hefley.
Avis.	High.
Barnett.	Holder.
Barron.	Jacks.
Bass.	Johnson.
Bateman.	Jones.
Beck.	Justice.
Bird.	Kayton.
Black.	Kincaid.
Boggs.	King of Hopkins.
Bonham.	King of
Boon.	Throckmorton.
Branch.	Kirkland.
Brown.	Lipscomb.
Conway.	Loftin.
Cornwell.	Long.
Cox.	Loy.
Cummings.	Masterson.
Dale.	McCombs.
Daniel.	McGill.
Davis.	McKean.
DeBerry.	Merritt.
Dielmann.	Minor.
Durham.	Montgomery.
Duvall.	Morse.
Enderby.	Moursund.
Eickenroht.	Murphy.
Faulk.	Nabors.
Finlay.	Olsen.
Fly.	Parish
Forbes.	of Runnels.
Fuchs.	Parrish of Travis.
Gibson.	Pavlica.
Gilbert.	Pearce.
Gray.	Poage.
Hagaman.	Pope.
Hall.	Porter.

Powell.	Snelgrove.
Purl.	Stevenson.
Ramsey.	Storey.
Rawlins.	Stout.
Reagan.	Sutton.
Renfro	Swain.
of Angelina	Taylor.
Renfro of Mills.	Van Zandt.
Rogers of Hays.	Veatch.
Rogers of Shelby.	Waddell.
Runge.	Walker.
Sanders.	Wallace of Panola.
Satterwhite.	Wallace of Smith.
Shaver.	Ware.
Shearer.	Webb.
Sheats.	Whitaker.
Shirley.	Williams
Simmons.	of Sabine.
Sinks.	Williams
Smith of El Paso.	of Travis.
Smith of Nueces.	Woodall.
Smith of Smith.	Young.

Nays—5.

Denman.	Smith
Farrar.	of Atascosa.
Kennedy.	Woodruff.

Absent.

Acker.	Nicholson.
Alexander.	Petsch.
Dunlap.	Pool.
Gates.	Smyth.
Graves.	Stell.
Harman.	Teer.
Holland.	Tillotson.
Hornaday.	Wallace
Kemble.	of Freestone.
Kirby.	Wells.
Land.	Williamson.
Moore.	

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

SENATE BILL NO. 53 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 53, A bill to be entitled "An Act to authorize Wichita Falls & Southern Railroad Company to acquire by purchase or lease for a term of not exceeding ninety-nine years, with the right to purchase at any time during said term, the railroads of Wichita Falls & Southern Railway Company and of Wichita Falls, Ranger & Fort Worth Railroad Company with the branches and extensions thereof, constructed or to be constructed, together with all

properties, franchises and appurtenances pertaining thereto, and after said purchase or lease to own and operate or control and operate said lines of railroad, with the railroad now owned by it, as a single line of railroad and to complete or extend them or either of them as contemplated and provided in the respective charters of said companies, with the right to make such other extensions and construct such branches as may hereafter be authorized by amendment of the charter of said Wichita Falls & Southern Railway Company, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 53 ON THIRD READING.

Mr. Daniel moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Acker.	Holder.
Alexander.	Holland.
Anderson.	Hornaday.
Avis.	Jacks.
Barnett.	Jones.
Barron.	Justice.
Bass.	Kincaid.
Bateman.	King of Hopkins.
Beck.	King of
Black.	Throckmorton.
Boggs.	Kirkland.
Bonham.	Land.
Boon.	Lipscomb.
Branch.	Loftin.
Brown.	Long.
Conway.	Loy.
Cornwell.	Masterson.
Cummings.	McCombs.
Dale.	McGill.
Daniel.	Merritt.
Davis.	Minor.
Denman.	Montgomery.
Dielmann.	Moore.
Duvall.	Morse.
Enderby.	Moursund.
Eickenroht.	Murphy.
Farrar.	Nabors.
Faulk.	Olsen.
Fly.	Parish
Forbes.	of Runnels.
Gibson.	Parrish of Travis.
Gilbert.	Pavlica.
Gray.	Pearce.
Hall.	Petsch.
Harding.	Poage.
Hefley.	Pope.
High.	Powell.

Purl.	Stevenson.
Ramsey.	Storey.
Rawlins.	Stout.
Reagan.	Sutton.
Renfro	Swain.
of Angelina.	Taylor.
Renfro of Mills.	Teer.
Rogers of Hays.	Veatch.
Rogers of Shelby.	Waddell.
Runge.	Walker.
Sanders.	Wallace of Panola.
Satterwhite.	Wallace of Smith.
Shaver.	Webb.
Shearer.	Whitaker.
Sheats.	Williams
Shirley.	of Sabine.
Simmons.	Williams
Sinks.	of Travis.
Smith of El Paso.	Woodall.
Smith of Nueces.	Woodruff.
Smith of Smith.	Young.
Smyth.	

Nays—8.

Albritton.	Smith
DeBerry.	of Atascosa.
Kayton.	Van Zandt.
Kennedy.	Ware.
McKean.	

Present—Not Voting.

Fuchs.	Snelgrove.
	Absent.
Bird.	Nicholson.
Cox.	Pool.
Dunlap.	Porter.
Durham.	Rowell.
Finlay.	Stell.
Gates.	Tillotson.
Graves.	Wallace
Hagaman.	of Freestone.
Harman.	Wassell.
Johnson.	Wells.
Kemble.	Williamson.
Kirby.	

Absent—Excused.

Foster.	Kittrell.
Kenyon.	Turner.
Kinnear.	

The Speaker then laid Senate bill No. 53 before the House on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—117.

Acker.	Bass.
Albritton.	Bateman.
Alexander.	Beck.
Anderson.	Bird.
Avis.	Black.
Barnett.	Boggs.
Barron.	Bonham.

Boon.	Parish
Branch.	of Runnels.
Brown.	Parrish of Travis.
Conway.	Pavlica.
Cornwell.	Pearce.
Cox.	Poage.
Cummings.	Pope.
Dale.	Porter.
Daniel.	Powell.
Davis.	Purl.
DeBerry.	Ramsey.
Dielmann.	Rawlins.
Durham.	Reagan.
Duvall.	Renfro
Enderby.	of Angelina
Eickenroht.	Renfro of Mills.
Faulk.	Rogers of Hays.
Fly.	Rogers of Shelby.
Forbes.	Runge.
Fuchs.	Sanders.
Gibson.	Satterwhite.
Gilbert.	Shaver.
Gray.	Shearer.
Hagaman.	Sheats.
Hall.	Simmons.
Harding.	Sinks.
Harman.	Smith of El Paso.
Hefley.	Smith of Nueces.
High.	Smith of Smith.
Holder.	Smyth.
Hornaday.	Stevenson.
Jacks.	Storey.
Jones.	Stout.
Justice.	Sutton.
Kayton.	Swain.
Kincaid.	Taylor.
King of Hopkins.	Teer.
King of	Van Zandt.
Throckmorton.	Veatch.
Kirkland.	Waddell.
Land.	Walker.
Lipscomb.	Wallace
Long.	of Freestone.
Loy.	Wallace of Panola.
Masterson.	Wallace of Smith.
McCombs.	Ware.
McGill.	Webb.
Merritt.	Whitaker.
Montgomery.	Williams
Moore.	of Sabine.
Morse.	Williams
Moursund.	of Travis.
Murphy.	Woodall.
Nabors.	Woodruff.
Olsen.	Young.

Nays—1.

Kennedy.

Present—Not Voting.

Denman.

Snelgrove.

Farrar.

Absent.

Dunlap.

Graves.

Finlay.

Holland.

Gates.

Johnson.

Kemble.	Pool.
Kirby.	Shirley.
Loftin.	Stell.
McKean.	Tillotson.
Minor.	Wells.
Nicholson.	Williamson.
Petsch.	

Absent—Excused.

Foster.	Smith
Kenyon.	of Atascosa.
Kinnear.	Turner.
Kittrell.	Wassell.
Rowell.	

SENATE BILL NO. 26 ON THIRD READING.

Mr. Smyth moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Acker.	Hornaday.
Alexander.	Jacks.
Anderson.	Justice.
Avis.	Kennedy.
Barnett.	Kincaid.
Barron.	King of Hopkins.
Bass.	King of
Bateman.	Throckmorton.
Beck.	Kirkland.
Bird.	Land.
Black.	Loftin.
Boggs.	Long.
Bonham.	Masterson.
Branch.	McCombs.
Brown.	McGill.
Conway.	McKean.
Cornwell.	Merritt.
Cox.	Minor.
Cummings.	Montgomery.
Dale.	Moore.
Davis.	Morse.
Dielmann.	Moursund.
Dunlap.	Murphy.
Durham.	Nabors.
Duvall.	Olsen.
Enderby.	Parish
Farrar.	of Runnels.
Faulk.	Parrish of Travis.
Fly.	Pavlica.
Forbes.	Pearce.
Fuchs.	Poage.
Gibson.	Pool.
Gilbert.	Pope.
Gray.	Powell.
Hagaman.	Purl.
Harding.	Ramsey.
Harman.	Rawlins.
Hefley.	Renfro
High.	of Angelina.
Holder.	Renfro of Mills.
Holland.	Rogers of Hays.

Rogers of Shelby.	Sutton.
Runge.	Swain.
Satterwhite.	Taylor.
Shaver.	Veatch.
Shearer.	Waddell.
Sheats.	Walker.
Shirley.	Wallace of Panola.
Simmons.	Wallace of Smith.
Sinks.	Webb.
Smith of El Paso.	Whitaker.
Smith of Nueces.	Williams
Smith of Smith.	of Sabine.
Smyth.	Williams
Snelgrove.	of Travis.
Stevenson.	Williamson.
Storey.	Woodall.
Stout.	Young.

Nays—6.

Albritton.	Porter.
DeBerry.	Van Zandt.
Kayton.	Ware.

Present—Not Voting.

Jones.	Smith
	of Atascosa.

Absent.

Boon.	Loy.
Daniel.	Nicholson.
Denman.	Petsch.
Eickenroht.	Reagan.
Finlay.	Sanders.
Gates.	Stell.
Graves.	Teer.
Hall.	Tillotson.
Johnson.	Wallace
Kemble.	of Freestone.
Kirby.	Wells.
Kittrell.	Woodruff.
Lipscomb.	

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.

The Speaker then laid Senate bill No. 26 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—122.

Acker.	Black.
Albritton.	Boggs.
Alexander.	Bonham.
Anderson.	Boon.
Avis.	Branch.
Barnett.	Brown.
Barron.	Conway.
Bass.	Cornwell.
Bateman.	Cox.
Beck.	Cummings.
Bird.	Dale.

Daniel.	Pearce.
Davis.	Poage.
DeBerry.	Pool.
Denman.	Pope.
Dielmann.	Porter.
Dunlap.	Powell.
Durham.	Purl.
Duvall.	Ramsey.
Enderby.	Rawlins.
Eickenroht.	Reagan.
Farrar.	Renfro of Mills.
Faulk.	Rogers of Hays.
Finlay.	Rogers of Shelby.
Fly.	Runge.
Forbes.	Sanders.
Fuchs.	Satterwhite.
Gibson.	Shaver.
Gray.	Shearer.
Hagaman.	Sheats.
Harding.	Shirley.
Harman.	Simmons.
Hefley.	Sinks.
High.	Smith
Holder.	of Atascosa.
Holland.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Jacks.	Smith of Smith.
Johnson.	Smyth.
Jones.	Snelgrove.
Justice.	Stevenson.
Kayton.	Storey.
Kincaid.	Stout.
King of Hopkins.	Sutton.
King of	Swain.
Throckmorton.	Taylor.
Land.	Teer.
Loftin.	Van Zandt.
Long.	Veatch.
Loy.	Waddell.
Masterson.	Walker.
McCombs.	Wallace
McGill.	of Freestone.
Merritt.	Wallace of Panola.
Minor.	Wallace of Smith.
Montgomery.	Ware.
Moore.	Webb.
Morse.	Whitaker.
Moursund.	Williams
Nabors.	of Sabine.
Olsen.	Williams
Parish	of Travis.
of Runnels.	Williamson.
Parrish of Travis.	Woodall.
Pavlica.	Young.

Nays—1.

McKean.

Present—Not Voting.

Kirkland.	Renfro
	of Angelina.

Absent.

Gates.	Hall.
Gilbert.	Kemble.
Graves.	Kennedy.

Kinnear.	Petsch.
Kirby.	Stell.
Lipscomb.	Tillotson.
Murphy.	Wells.
Nicholson.	Woodruff.

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kittrell.	Wassell.

TO PROVIDE FOR MEMBERS OF THE
PENITENTIARY COMMITTEE TO
VISIT THE PENITENTIARY.

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 7, Providing for members of the Penitentiary Committee to visit the penitentiaries.

The resolution having been read second time on yesterday.

Mr. Loy offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 7 by striking out "members of the Penitentiary Committee" in lines 9 and 10 and substitute in lieu thereof "the membership of the House and Senate."

Mr. Woodall moved the previous question on the resolution and the amendment, and the motion was not seconded.

Mr. Petsch moved to table the amendment and the resolution.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—39.

Acker.	Harman.
Albritton.	Hefley.
Alexander.	High.
Avis.	Kincaid.
Bass.	Land.
Bird.	Lipscomb.
Bonham.	Loftin.
Boon.	McKean.
Daniel.	Moursund.
Denman.	Nabors.
Dielmann.	Petsch.
Durham.	Renfro of Mills.
Enderby.	Shaver.
Finlay.	Sinks.
Fly.	Storey.
Forbes.	Sutton.
Gilbert.	Van Zandt.
Hagaman.	Whitaker.
Hall.	Woodall.
Harding.	

Nays—88.

Anderson.	Black.
Barnett.	Boggs.
Barron.	Branch.
Bateman.	Brown.
Beck.	Conway.

Cox.	Pearce.
Cummings.	Poage.
Dale.	Pool.
DeBerry.	Pope.
Dunlap.	Porter.
Duvall.	Powell.
Eickenroht.	Purl.
Farrar.	Ramsey.
Faulk.	Rawlins.
Fuchs.	Reagan.
Gibson.	Renfro
Graves.	of Angelina.
Gray.	Rogers of Hays.
Holland.	Rogers of Shelby.
Hornaday.	Runge.
Jacks.	Sanders.
Johnson.	Satterwhite.
Jones.	Shearer.
Justice.	Sheats.
Kayton.	Shirley.
Kemble.	Smith of El Paso.
Kennedy.	Smith of Nueces.
King of Hopkins.	Smith of Smith.
King of	Smyth.
Throckmorton.	Snelgrove.
Kirkland.	Stevenson.
Long.	Stout.
Loy.	Swain.
Masterson.	Taylor.
McCombs.	Veatch.
McGill.	Waddell.
Merritt.	Walker.
Minor.	Wallace
Montgomery.	of Freestone.
Moore.	Wallace of Panola.
Morse.	Ware.
Murphy.	Webb.
Nicholson.	Wells.
Olsen.	Williams
Parish	of Sabine.
of Runnels.	Williams
Parrish of Travis.	of Travis.
Pavlica.	Woodruff.

Present—Not Voting.

Simmons.	Smith
	of Atascosa.

Absent.

Cornwell.	Teer.
Davis.	Tillotson.
Gates.	Wallace of Smith.
Holder.	Williamson.
Kirby.	Young.
Stell.	

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

Mr. Purl offered the following substitute for the amendment:

Amend by inserting the following:
"That the House and Senate invite the Land Commissioner, Attorney Gen-

eral, the Governor and Chairmen of the Penitentiary Committees of Senate and House to inspect the prison system of Texas, with a view of relocating same and report their findings back to members of the Fortieth Legislature."

Mr. Anderson moved to table the substitute amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—110.

Acker.	Loftin.
Albritton.	Loy.
Anderson.	McCombs.
Avis.	McGill.
Barnett.	McKean.
Barron.	Merritt.
Bass.	Minor.
Bateman.	Moore.
Beck.	Morse.
Bird.	Moursund.
Black.	Murphy.
Boggs.	Nabors.
Bonham.	Nicholson.
Boon.	Parish
Brown.	of Runnels.
Conway.	Pavlica.
Cornwell.	Pearce.
Cox.	Poage.
Dale.	Pope.
Davis.	Porter.
DeBerry.	Powell.
Denman.	Ramsey.
Dielmann.	Rawlins.
Durham.	Reagan.
Duvall.	Renfro
Enderby.	of Angelina
Eickenroht.	Renfro of Mills.
Farrar.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Finlay.	Runge.
Fly.	Satterwhite.
Fuchs.	Shaver.
Gates.	Shearer.
Gibson.	Sheats.
Graves.	Simmons.
Gray.	Sinks.
Hagaman.	Smith
Hall.	of Atascosa.
Harding.	Smith of El Paso.
High.	Smith of Nueces.
Holder.	Smith of Smith.
Holland.	Smyth.
Hornaday.	Snelgrove.
Johnson.	Storey.
Jones.	Stout.
Justice.	Sutton.
Kayton.	Swain.
Kennedy.	Taylor.
Kincaid.	Teer.
King of Hopkins.	Tillotson.
King of	Van Zandt.
Throckmorton.	Waddell.
Kirkland.	Walker.
Land.	

Wallace	Whitaker.
of Freestone.	Williams
Wallace of Panola.	of Sabine.
Ware.	Woodruff.
Webb.	Young.
Wells.	

Nays—13.

Branch.	Olsen.
Cummings.	Petsch.
Forbes.	Purl.
Gilbert.	Sanders.
Kemble.	Stevenson.
Lipscomb.	Woodall.
Masterson.	

Present—Not Voting.

Hefley.	Veatch.
Jacks.	

Absent.

Alexander.	Pool.
Daniel.	Shirley.
Dunlap.	Stell.
Harman.	Wallace of Smith.
Kirby.	Williams
Long.	of Travis.
Montgomery.	Williamson.
Parrish of Travis.	

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

Mr. McCombs moved the previous question on the pending amendment and the resolution and the main question was ordered.

Question recurring on the amendment by Mr. Loy, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—64.

Albritton.	Gibson.
Barron.	Graves.
Bass.	Harding.
Bateman.	Harman.
Beck.	Holder.
Black.	Hornaday.
Boggs.	Jones.
Boon.	Justice.
Brown.	King of
Conway.	Throckmorton.
Cornwell.	Kirkland.
Cox.	Lipscomb.
Cummings.	Long.
Dale.	Loy.
Davis.	Merritt.
Enderby.	Minor.
Eickenroht.	Moore.
Faulk.	Morse.
Finlay.	Olsen.

Pavlica.	Snelgrove.
Pearce.	Stevenson.
Petsch.	Stout.
Poage.	Sutton.
Pool.	Swain.
Rogers of Hays.	Taylor.
Runge.	Teer.
Shaver.	Tillotson.
Sheats.	Van Zandt.
Shirley.	Ware.
Simmons.	Williams
Smith of Nueces.	of Travis.
Smith of Smith.	Woodall.
Smyth.	

Nays—69.

Acker.	McKean.
Alexander.	Montgomery.
Anderson.	Moursund.
Avis.	Murphy.
Barnett.	Nabors.
Bird.	Nicholson.
Bonham.	Parish
Branch.	of Runnels.
Daniel.	Pope.
DeBerry.	Porter.
Denman.	Powell.
Dielmann.	Purl.
Durham.	Ramsey.
Duvall.	Rawlins.
Farrar.	Reagan.
Fly.	Renfro
Forbes.	of Angelina
Fuchs.	Renfro of Mills.
Gates.	Rogers of Shelby.
Gilbert.	Sanders.
Gray.	Shearer.
Hagaman.	Sinks.
Hall.	Smith of El Paso.
Hefley.	Storey.
Holland.	Waddell.
Jacks.	Walker.
Johnson.	Wallace
Kayton.	of Freestone.
Kemble.	Wallace of Panola.
Kennedy.	Wallace of Smith.
Kincaid.	Webb.
King of Hopkins.	Wells.
Land.	Whitaker.
Loftin.	Williams
Masterson.	of Sabine.
McCombs.	Woodruff.
McGill.	Young.

Present—Not Voting;

Satterwhite. Veatch.

Absent.

Dunlap.	Parrish of Travis.
High.	Stell.
Kirby.	Williamson.

Absent—Excused.

Foster.	Kittrell.
Kenyon.	Rowell.
Kinnear.	

Smith	Turner.
of Atascosa.	Wassell.

Question next recurring on the resolution, yeas and nays were demanded.

The resolution was lost by the following vote:

Yeas—42.

Anderson.	Moore.
Bateman.	Morse.
Beck.	Nicholson.
Black.	Parish
Conway.	of Runnels.
Cox.	Pearce.
Cummings.	Poage.
DeBerry.	Pool.
Duvall.	Pope.
Farrar.	Ramsey.
Fuchs.	Reagan.
Gates.	Sanders.
Holland.	Satterwhite.
Hornaday.	Shearer.
Jones.	Smith of El Paso.
Kayton.	Smith of Smith.
King of	Stevenson.
Throckmorton.	Waddell.
Land.	Walker.
Masterson.	Wells.
McCombs.	Williams
McGill.	of Sabine.
Montgomery.	

Nays—89.

Acker.	Harman.
Albritton.	Hefley.
Alexander.	High.
Avis.	Holder.
Barnett.	Jacks.
Barron.	Johnson.
Bass.	Justice.
Bird.	Kemble.
Boggs.	Kennedy.
Bonham.	Kincaid.
Boon.	King of Hopkins.
Branch.	Lipscomb.
Brown.	Loftin.
Cornwell.	Long.
Dale.	Loy.
Daniel.	McKean.
Davis.	Merritt.
Denman.	Minor.
Dielmann.	Moursund.
Durham.	Murphy.
Enderby.	Nabors.
Eickenroht.	Olsen.
Faulk.	Parrish of Travis.
Finlay.	Pavlica.
Fly.	Petsch.
Forbes.	Purl.
Gibson.	Renfro
Gilbert.	of Angelina.
Graves.	Renfro of Mills.
Gray.	Rogers of Hays.
Hagaman.	Runge.
Hall.	Shaver.
Harding.	Sheats.

Shirley.	Teer.
Simmons.	Tillotson.
Sinks.	Van Zandt.
Smith	Veatch.
of Atascosa.	Wallace of Panola.
Smith of Nueces.	Ware.
Smyth.	Webb.
Snelgrove.	Whitaker.
Storey.	Williams
Stout.	of Travis.
Sutton.	Woodall.
Swain.	Woodruff.
Taylor.	Young.

Present—Not Voting.

Kirkland.	Powell.
Porter.	Wallace of Smith.

Absent.

Dunlap.	Stell.
Kirby.	Wallace
Rawlins.	of Freestone.
Rogers of Shelby.	Williamson.

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

RELATING TO FEDERAL AGRICULTURE.

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 2, Relating to Federal agriculture,

The resolution having been read second time on last Thursday, January 13.

Question recurring on the resolution, it was adopted.

HOUSE BILL NO. 138 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 138, A bill to be entitled "An Act to create Road District No. 4 of Wilbarger county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the organization of said district; validating the authorization of certain road bonds thereof, and providing for the issuance and sale thereof; authorizing the commissioners court to levy and provide for the assessment and collection of general ad valorem taxes on all taxable property in said road district in payment of principal and interest on said bonds; approving and validating all orders of the commissioners court of said county in respect of said

road district, bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 138 ON THIRD READING.

Mr. Storey moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 138 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117.

Acker.	Jones.
Albritton.	Kennedy.
Alexander.	Kincaid.
Anderson.	King of Hopkins.
Avis.	King of
Barnett.	Throckmorton.
Bass.	Kirkland.
Bateman.	Land.
Beck.	Lipscomb.
Black.	Loftin.
Boggs.	Loy.
Boon.	Masterson.
Branch.	McCombs.
Brown.	McGill.
Conway.	McKean.
Cornwell.	Merritt.
Cox.	Minor.
Cummings.	Moore.
Dale.	Morse.
Daniel.	Moursund.
Davis.	Murphy.
DeBerry.	Nabors.
Dielmann.	Olsen.
Dunlap.	Parish
Duvall.	of Runnels.
Enderby.	Pavlica.
Eickenroht.	Pearce.
Farrar.	Petsch.
Faulk.	Poage.
Finlay.	Pool.
Forbes.	Pope.
Fuchs.	Porter.
Gates.	Powell.
Gilbert.	Purl.
Graves.	Ramsey.
Gray.	Rawlins.
Hagaman.	Reagan.
Hall.	Renfro
Harding.	of Angelina
Harman.	Rogers of Hays.
High.	Rogers of Shelby.
Holder.	Runge.
Holland.	Sanders.
Hornaday.	Satterwhite.
Jacks.	Shaver.
Johnson.	Shearer.

Sheats.	Tillotson.
Shirley.	Van Zandt.
Simmons.	Veatch.
Sinks.	Waddell.
Smith of El Paso.	Walker.
Smith of Nueces.	Wallace of Panola.
Smith of Smith.	Wallace of Smith.
Smyth.	Webb.
Snelgrove.	Wells.
Stevenson.	Whitaker.
Storey.	Williams
Stout.	of Sabine.
Sutton.	Williamson.
Swain.	Woodall.
Teer.	Young.

Nays—2.

Ware.	Woodruff.
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Absent.

Barron.	Long.
Bird.	Montgomery.
Bonham.	Nicholson.
Denman.	Parrish of Travis.
Durham.	Renfro of Mills.
Fly.	Stell.
Gibson.	Taylor.
Hefley.	Wallace
Justice.	of Freestone.
Kayton.	Williams
Kemble.	of Travis.
Kirby.	

Absent—Excused.

Foster.	Smith
Kenyon.	of Atascosa.
Kinnear.	Turner.
Kittrell.	Wassell.
Rowell.	

The Speaker then laid House bill 138 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—124.

Acker.	Cummings.
Albritton.	Dale.
Alexander.	Daniel.
Anderson.	Davis.
Avis.	DeBerry.
Barnett.	Denman.
Barron.	Dielmann.
Bass.	Dunlap.
Bateman.	Enderby.
Beck.	Eickenroht.
Black.	Farrar.
Boggs.	Faulk.
Boon.	Finlay.
Branch.	Forbes.
Brown.	Fuchs.
Conway.	Gates.
Cornwell.	Gibson.
Cox.	Gilbert.

Graves.	Reagan.
Gray.	Renfro
Hagaman.	of Angelina.
Hall.	Renfro of Mills.
Harding.	Rogers of Hays.
Harman.	Rogers of Shelby.
High.	Runge.
Holder.	Sanders.
Holland.	Satterwhite.
Hornaday.	Shaver.
Jacks.	Shearer.
Johnson.	Sheats.
Jones.	Shirley.
Kennedy.	Simmons.
Kincaid.	Sinks.
King of Hopkins.	Smith
King of	of Atascosa.
Throckmorton.	Smith of El Paso.
Kirkland.	Smith of Nueces.
Land.	Smith of Smith.
Lipscomb.	Smyth.
Loftin.	Snelgrove.
Long.	Stevenson.
Loy.	Storey.
McCombs.	Stout.
McGill.	Sutton.
McKean.	Swain.
Merritt.	Taylor.
Minor.	Teer.
Montgomery.	Van Zandt.
Moore.	Waddell.
Morse.	Walker.
Moursund.	Wallace
Murphy.	of Freestone.
Nabors.	Wallace of Panola.
Olsen.	Wallace of Smith.
Parish	Ware.
of Runnels.	Webb.
Pavlica.	Wells.
Pearce.	Whitaker.
Petsch.	Williams
Poage.	of Sabine.
Pool.	Williamson.
Pope.	Woodall.
Porter.	Woodruff.
Powell.	Young.
Ramsey.	

Absent.

Bird.	Masterson.
Bonham.	Nicholson.
Durham.	Parrish of Travis.
Duvall.	Purl.
Fly.	Rawlins.
Hefley.	Stell.
Justice.	Tillotson.
Kayton.	Veatch.
Kemble.	Williams
Kirby.	of Travis.

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

PROVIDING FOR INSTALLATION OF AMPLIFIERS.

Mr. Sinks offered the following resolution:

Whereas, A proposition has been made to install without cost amplifiers in the Hall of the House of Representatives, in order that the members may test the same; therefore, be it

Resolved, That the Chief Clerk be authorized to have the same done.

Signed—Sinks, Dielmann.

The resolution was read second time and was adopted.

HOUSE BILL NO. 6 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 6, A bill to be entitled "An Act providing for the redemption of property sold under a judgment for taxes levied by any district organized under the laws of the State of Texas, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 6 ON THIRD READING.

Mr. Montgomery moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122.

Acker.	Duvall.
Alexander.	Enderby.
Anderson.	Eickenroht.
Avis.	Farrar.
Barnett.	Finlay.
Barron.	Fly.
Bass.	Forbes.
Bateman.	Fuchs.
Beck.	Gibson.
Black.	Gilbert.
Boggs.	Graves.
Branch.	Hagaman.
Brown.	Hall.
Conway.	Harding.
Cornwell.	Hefley.
Cummings.	High.
Dale.	Holland.
Daniel.	Hornaday.
Davis.	Jacks.
Denman.	Johnson.
Dielmann.	Jones.
Dunlap.	Justice.
Durham.	Kemble.

Kennedy.	Rogers of Shelby.
Kincaid.	Sanders.
King of Hopkins.	Satterwhite.
King of Throckmorton.	Shaver.
Kirkland.	Shearer.
Land.	Sheats.
Loftin.	Shirley.
Long.	Simmons.
Loy.	Sinks.
Masterson.	Smith
McCombs.	of Atascosa.
McGill.	Smith of El Paso.
McKean.	Smith of Nueces.
Merritt.	Smith of Smith.
Minor.	Smyth.
Montgomery.	Snelgrove.
Moore.	Stevenson.
Morse.	Storey.
Moursund.	Stout.
Murphy.	Sutton.
Nabors.	Swain.
Nicholson.	Taylor.
Olsen.	Teer.
Parish	Tillotson.
of Runnels.	Waddell.
Pavlica.	Walker.
Pearce.	Wallace
Petsch.	of Freestone.
Poage.	Wallace of Panola.
Pool.	Wallace of Smith.
Pope.	Ware.
Porter.	Webb.
Powell.	Wells.
Purl.	Whitaker.
Ramsey.	Williams
Rawlins.	of Sabine.
Reagan.	Williams
Renfro	of Travis.
of Angelina.	Williamson.
Renfro of Mills.	Woodall.
Rogers of Hays.	Young.

Nays—7.

Albritton.	Kayton.
Bird.	Van Zandt.
DeBerry.	Woodruff.
Holder.	
	Absent.
Bonham.	Kirby.
Boon.	Lipscomb.
Cox.	Parrish of Travis.
Faulk.	Runge.
Gates.	Stell.
Gray.	Veatch.
Harman.	
	Absent—Excused.
Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

The Speaker then laid House bill No. 6 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—125.

Acker.	Masterson.
Albritton.	McCombs.
Alexander.	McGill.
Anderson.	McKean.
Avis.	Merritt.
Barnett.	Minor.
Barron.	Montgomery.
Bass.	Moore.
Bateman.	Morse.
Beck.	Moursund.
Bird.	Murphy.
Black.	Nabors.
Boggs.	Nicholson.
Boon.	Olsen.
Branch.	Parish
Brown.	of Runnels.
Conway.	Pearce.
Cornwell.	Petsch.
Cummings.	Poage.
Dale.	Pope.
Daniel.	Porter.
Davis.	Powell.
DeBerry.	Purl.
Denman.	Ramsey.
Dunlap.	Rawlins.
Durham.	Reagan.
Duvall.	Renfro
Enderby.	of Angelina.
Eickenroht.	Renfro of Mills.
Farrar.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Finlay.	Sanders.
Fly.	Satterwhite.
Forbes.	Shaver.
Fuchs.	Shearer.
Gibson.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Gray.	Sinks.
Hagaman.	Smith
Hall.	of Atascosa.
Harding.	Smith of El Paso.
Hefley.	Smith of Nueces.
High.	Smith of Smith.
Holder.	Smyth.
Holland.	Snelgrove.
Hornaday.	Stevenson.
Jacks.	Storey.
Johnson.	Stout.
Jones.	Sutton.
Justice.	Swain.
Kayton.	Taylor.
Kemble.	Teer.
Kennedy.	Van Zandt.
Kincaid.	Veatch.
King of Hopkins.	Waddell.
King of	Walker.
Throckmorton.	Wallace
Kirkland.	of Freestone.
Land.	Wallace of Panola.
Loftin.	Wallace of Smith.
Long.	Ware.
Loy.	Webb.

Wells.
Whitaker.
Williams
of Sabine.

Williams
of Travis.
Woodall.
Woodruff.
Young.

Absent.

Bonham.
Cox.
Dielmann.
Gates.
Harman.
Kirby.
Lipscomb.

Parrish of Travis.
Pavlica.
Pool.
Runge.
Stell.
Tillotson.
Williamson.

Absent—Excused.

Foster.
Kenyon.
Kinnear.
Kittrell.

Rowell.
Turner.
Wassell.

HOUSE BILL NO. 16 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 16, A bill to be entitled "An Act amending Sections 10, 16 and 17, of Chapter 24, of the Special Laws of the State of Texas, approved March 5, 1913, and passed by the Thirty-third Legislature, relating to the road system of Hamilton county, by changing the minimum age of persons required to work the roads from eighteen to twenty-one, and changing the amount of indebtedness that can be created in road matters, and changing the compensation of the road supervisors."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 16 ON THIRD READING.

Mr. Nabors moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 16 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Acker.
Alexander.
Anderson.
Avis.
Barnttt.
Bass.
Bateman.
Beck.
Bird.
Black.

Boggs.
Boon.
Branch.
Brown.
Conway.
Cornwell.
Cummings.
Dale.
Daniel.
DeBerry.

Denman.	Pearce.
Dunlap.	Petsch.
Durham.	Poage.
Duvall.	Pope.
Enderby.	Porter.
Eickenroht.	Powell.
Farrar.	Purl.
Faulk.	Ramsey.
Finlay.	Rawlins.
Fly.	Renfro
Forbes.	of Angelina.
Fuchs.	Renfro of Mills.
Gibson.	Rogers of Hays.
Gilbert.	Rogers of Shelby.
Graves.	Runge.
Gray.	Sanders.
Hall.	Satterwhite.
Harding.	Shaver.
Harman.	Shearer.
Hefley.	Sheats.
High.	Shirley.
Holder.	Simmons.
Holland.	Smith
Hornaday.	of Atascosa.
Jacks.	Smith of Nueces.
Johnson.	Smith of Smith.
Jones.	Smyth.
Justice.	Snelgrove.
Kayton.	Stevenson.
Kennedy.	Stout.
Kincaid.	Sutton.
King of Hopkins.	Swain.
King of	Taylor.
Throckmorton.	Teer.
Kirkland.	Veatch.
Land.	Waddell.
Loftin.	Walker.
Long.	Wallace
Loy.	of Freestone.
McCombs.	Wallace of Panola.
McGill.	Wallace of Smith.
McKean.	Webb.
Merritt.	Whitaker.
Minor.	Williams
Moursund.	of Sabine.
Murphy.	Williams
Nabors.	of Travis.
Olsen.	Williamson.
Parish	Woodall.
of Runnels.	Young.
Pavlica.	

Nays—4.

Albritton.	Ware.
Van Zandt.	Woodruff.

Absent.

Barron.	Lipscomb.
Bonham.	Masterson.
Cox.	Montgomery.
Davis.	Moore.
Dielmann.	Morse.
Gates.	Nicholson.
Hagaman.	Parrish of Travis.
Kemble.	Pool.
Kirby.	Reagan.

Sinks.	Storey.
Smith of El Paso.	Tillotson.
Stell.	Wells.

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

The Speaker then laid House bill No. 16 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123.

Acker.	Jones.
Albritton.	Kayton.
Alexander.	Kemble.
Anderson.	Kennedy.
Avis.	Kincaid.
Barnttt.	King of Hopkins.
Bass.	King of
Bateman.	Throckmorton.
Beck.	Kirkland.
Bird.	Land.
Black.	Lipscomb.
Boggs.	Loftin.
Boon.	Long.
Branch.	Loy.
Brown.	Masterson.
Conway.	McCombs.
Cornwell.	McGill.
Cox.	McKean.
Cummings.	Merritt.
Dale.	Minor.
Daniel.	Moursund.
Davis.	Murphy.
DeBerry.	Nabors.
Denman.	Nicholson.
Dunlap.	Olsen.
Durham.	Parish
Duvall.	of Runnels.
Enderby.	Pavlica.
Eickenroht.	Pearce.
Farrar.	Petsch.
Faulk.	Poage.
Finlay.	Pope.
Fly.	Porter.
Forbes.	Powell.
Fuchs.	Ramsey.
Gibson.	Rawlins.
Gilbert.	Renfro
Graves.	of Angelina.
Gray.	Renfro of Mills.
Hagaman.	Rogers of Hays.
Hall.	Rogers of Shelby.
Harding.	Runge.
Harman.	Sanders.
Hefley.	Satterwhite.
High.	Shaver.
Holder.	Shearer.
Hornaday.	Sheats.
Jacks.	Shirley.
Johnson.	Simmons.

Sinks.	Walker.
Smith	Wallace
of Atascosa.	of Freestone.
Smith of Nueces.	Wallace of Panola.
Smith of Smith.	Wallace of Smith.
Smyth.	Ware.
Snelgrove.	Webb.
Stevenson.	Whitaker.
Stout.	Williams
Sutton.	of Sabine.
Swain.	Williams
Taylor.	of Travis.
Teer.	Williamson.
Tillotson.	Woodall.
Van Zandt.	Woodruff.
Veatch.	Young.
Waddell.	

Absent.

Barron.	Morse.
Bonham.	Parrish of Travis.
Dielmann.	Pool.
Gates.	Purl.
Holland.	Reagan.
Justice.	Smith of El Paso.
Kirby.	Stell.
Montgomery.	Storey.
Moore.	Wells.

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 208, "An Act to create a more efficient road system for Webb county, Texas; providing that the general road laws of the State of Texas shall be applicable to said county, except as herein provided; providing that nothing in this act shall affect in anywise road bonds heretofore issued by said county; validating an election for the issuance of special road bonds of said county; validating all orders of the commissioners court in respect to said election; validating the levy of taxes in payment thereof and constituting such orders legal evidence; enacting provisions necessary and incidental to the subject and purpose of this act, and declaring an emergency."

S. B. No. 51, "An Act authorizing Wichita Falls and Southern Railroad Company and Wichita Falls, Ranger and Fort Worth Railroad Company and their successors, lessees and assigns to use 3.6 cents per mile as the basic unit

for the construction of all passenger fares for adults on and over their lines of railroad so long as such unit shall be used as the basis for passenger fares on the principal railroads of Texas, and declaring an emergency."

S. B. No. 26, "An Act ratifying and confirming the sale under the execution heretofore made of the Motley County Railway, its properties, rights and franchise, to G. E. Hamilton, trustee for the Quanah, Acme and Pacific Railway Company, and authorizing the transfer and conveyance by such trustee, etc."

S. B. No. 53, "An Act to authorize Wichita Falls and Southern Railroad Company to acquire by purchase or by lease for a term of not exceeding ninety-nine years, with the right of purchase at any time during said term, the railroads of the Wichita Falls and Southern Railway Company and of Wichita Falls, Ranger and Fort Worth Railroad Company with the branches and extensions thereof, constructed or to be constructed, together with all properties, franchises and appurtenances pertaining thereto, and after said purchase or lease to own and operate or control and operate said lines of railroad, with the railroad now owned by it, as a single line of railroad and to complete or extend them or either of them as contemplated and provided in the respective charters of said companies, with the right to make such other extensions and construct such branches as may hereafter be authorized by amendment of the charter of said Wichita Falls and Southern Railway Company, and declaring an emergency."

BILL ORDERED NOT PRINTED.

On motion of Mr. Williamson, Senate bill No. 5 was ordered not printed.

SENATE BILL NO. 5 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 5, A bill to be entitled "An Act amending Chapter 115. Local and Special Laws of the Regular Session of the Thirty-fifth Legislature, same being a special road law for Duval county, by adding thereto Sections 17, 18, 19, 20, 21, 22 and 23; validating an election for the issuance of special road bonds of said county; enacting provision necessary and incidental to the subject and purpose of this act, and declaring an emergency."

The bill was read second time and passed to third reading.

SENATE BILL NO. 5 ON THIRD READING.

Mr. Williamson moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Acker.	Land.
Alexander.	Lipscomb.
Anderson.	Loftin.
Avis.	Long.
Barnett.	Loy.
Bass.	McGill.
Bateman.	McKean.
Beck.	Merritt.
Bird.	Minor.
Black.	Moore.
Boggs.	Morse.
Boon.	Moursund.
Brown.	Murphy.
Conway.	Nabors.
Cornwell.	Nicholson.
Cummings.	Olsen.
Dale.	Parish
Daniel.	of Runnels.
Davis.	Pavlica.
DeBerry.	Pearce.
Dielmann.	Petsch.
Dunlap.	Poage.
Durham.	Pope.
Enderby.	Porter.
Eickenroht.	Powell.
Farrar.	Purl.
Faulk.	Ramsey.
Finlay.	Rawlins.
Fly.	Renfro
Forbes.	of Angelina
Gilbert.	Renfro of Mills.
Graves.	Rogers of Shelby.
Hagaman.	Runge.
Hall.	Sanders.
Harding.	Satterwhite.
Harman.	Shaver.
Hefley.	Shearer.
High.	Sheats.
Holder.	Shirley.
Holland.	Simmons.
Hornaday.	Sinks.
Jacks.	Smith
Johnson.	of Atascosa.
Jones.	Smith of Nueces.
Justice.	Smith of Smith.
Kemble.	Smyth.
Kennedy.	Snelgrove.
Kincaid.	Stevenson.
King of Hopkins.	Stout.
King of	Sutton.
Throckmorton.	Swain.
Kirkland.	Taylor.

Teer.	Williams
Veatch.	of Sabine.
Walker.	Williams
Wallace of Panola.	of Travis.
Wallace of Smith.	Williamson.
Webb.	Woodruff.
	Young.

Nays—7.

Albritton.	McCombs.
Denman.	Van Zandt.
Fuchs.	Ware.
Kayton.	

Absent.

Barron.	Reagan.
Bonham.	Rogers of Hays.
Branch.	Smith of El Paso.
Cox.	Stell.
Duvall.	Storey.
Gates.	Tillotson.
Gibson.	Waddell.
Gray.	Wallace
Kirby.	of Freestone.
Masterson.	Wells.
Montgomery.	Whitaker.
Parrish of Travis.	Woodall.
Pool.	

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

The Speaker then laid Senate bill No. 5 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—122.

Acker.	Durham.
Albritton.	Duvall.
Alexander.	Enderby.
Anderson.	Farrar.
Avis.	Faulk.
Barnett.	Finlay.
Bass.	Fly.
Bateman.	Forbes.
Beck.	Gilbert.
Bird.	Graves.
Black.	Gray.
Boggs.	Hagaman.
Boon.	Hall.
Brown.	Harding.
Conway.	Harman.
Cornwell.	Hefley.
Cummings.	High.
Dale.	Holder.
Daniel.	Hornaday.
Davis.	Jacks.
DeBerry.	Johnson.
Denman.	Jones.
Dielmann.	Justice.
Dunlap.	Kayton.

Kemble.	Rogers of Hays.
Kennedy.	Rogers of Shelby.
Kincaid.	Runge.
King of Hopkins.	Sanders.
King of Throckmorton.	Satterwhite.
Kirkland.	Shaver.
Land.	Shearer.
Lipscomb.	Sheats.
Loftin.	Shirley.
Long.	Simmons.
Loy.	Sinks.
Masterson.	Smith
McGill.	of Atascosa.
McKean.	Smith of Nueces.
Merritt.	Smith of Smith.
Minor.	Smyth.
Montgomery.	Snelgrove.
Moore.	Stevenson.
Morse.	Stout.
Moursund.	Sutton.
Murphy.	Swain.
Nabors.	Taylor.
Nicholson.	Teer.
Olsen.	Tillotson.
Parish	Van Zandt.
of Runnels.	Veatch.
Pavlica.	Waddell.
Pearce.	Walker.
Petsch.	Wallace of Panola.
Poage.	Wallace of Smith.
Pool.	Ware.
Pope.	Webb.
Porter.	Whitaker.
Powell.	Williams
Ramsey.	of Sabine.
Rawlins.	Williams
Renfro	of Travis.
of Angelina	Williamson.
Renfro of Mills.	Woodruff.
	Young.

Nays—2.

Fuchs.	McCombs.
	Absent.
Barron.	Purl.
Bonham.	Reagan.
Branch.	Smith of El Paso.
Cox.	Stell.
Eickenroht.	Storey.
Gates.	Wallace
Gibson.	of Freestone.
Holland.	Wells.
Kirby.	Woodall.
Parrish of Travis.	

Absent—Excused.

Foster.	Rowell.
Kenyon.	Turner.
Kinnear.	Wassell.
Kittrell.	

HOUSE BILL NO. 169 ON SECOND READING.

The Speaker laid before the House,

on its second reading and passage to engrossment,

H. B. No. 169, A bill to be entitled "An Act to amend Title 8, Article 199, Section 1, subdivision 23, page 96 of the Regular Session of the Thirty-ninth Legislature of the State of Texas, changing the time of holding the terms of district court in the Twenty-third Judicial District of Texas, and declaring an emergency."

The bill was read second time.

On motion of Mr. Masterson, House bill No. 169 was set as a special order for 11 o'clock a. m. next Tuesday.

BILL RE-REFERRED.

On motion of Mr. Cummings, House bill No. 32 was referred to the Judiciary Committee.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 20, 1927.
Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 208, A bill to be entitled "An Act to create a more efficient road system for Webb county, Texas; providing that the general road laws of the State of Texas shall be applicable to said county, except as herein provided; providing that nothing in this act shall affect in anywise road bonds heretofore issued by said county; validating an election for the issuance of special road bonds of said county; validating all orders of the commissioners court in respect to said election; validating the levy of taxes in payment thereof and constituting such orders legal evidence; enacting provisions necessary and incidental to the subject and purpose of this act, and declaring an emergency."

Respectfully,

JAS. H. THORNHILL,
Assistant Secretary of the Senate.

ADJOURNMENT.

On motion of Mr. Wallace of Freestone, the House, at 5 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Municipal and Private Corporations: House bill No. 128.

State Affairs: House bills Nos. 127, 213, 215.

Highways and Motor Traffic: Senate bill No. 5, House bills Nos. 158, 272, 79, 138.

Judiciary: House bill No. 57.

Game and Fisheries: House bill No. 71.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, January 19, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 5, Directing Adjutant General to take charge of Capitol grounds,

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

NINTH DAY.

(Friday, January 21, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	Dale.
Albritton.	Daniel.
Alexander.	Davis.
Anderson.	DeBerry.
Avis.	Denman.
Barnett.	Dielmann.
Barron.	Dunlap.
Bass.	Durham.
Bateman.	Duvall.
Beck.	Enderby.
Bird.	Eickenroht.
Black.	Farrar.
Boggs.	Faulk.
Boon.	Finlay.
Branch.	Fly.
Brown.	Forbes.
Conway.	Fuchs.
Cornwell.	Gates.
Cox.	Gibson.
Cummings.	Gilbert.

Graves.	Rawlins.
Gray.	Reagan.
Hagaman.	Renfro
Hall.	of Angelina.
Harding.	Renfro of Mills.
Harman.	Rogers of Hays.
High.	Rogers of Shelby.
Holder.	Runge.
Holland.	Sanders.
Hornaday.	Satterwhite.
Jacks.	Shaver.
Johnson.	Shearer.
Jones.	Sheats.
Justice.	Shirley.
Kemble.	Simmons.
Kennedy.	Sinks.
Kincaid.	Smith of Atascosa.
King of Hopkins.	Smith of El Paso.
King of	Smith of Nueces.
Throckmorton.	Smith of Smith.
Kirkland.	Smyth.
Land.	Snelgrove.
Lipscomb.	Stell.
Loftin.	Stevenson.
Long.	Storey.
Loy.	Stout.
Masterson.	Sutton.
McCombs.	Swain.
McGill.	Taylor.
McKean.	Teer.
Merritt.	Tillotson.
Minor.	Turner.
Montgomery.	Van Zandt.
Moore.	Veatch.
Morse.	Waddell.
Moursund.	Walker.
Murphy.	Wallace
Nabors.	of Freestone.
Nicholson.	Wallace of Panola.
Olsen.	Wallace of Smith.
Parish of Runnels.	Ware.
Parrish of Travis.	Webb.
Pavlica.	Wells.
Pearce.	Whitaker.
Petsch.	Williams
Poage.	of Sabine.
Pool.	Williams
Pope.	of Travis.
Porter.	Williamson.
Powell.	Woodall.
Purl.	Woodruff.
Ramsey.	Young.

Absent.

Bonham.

Kirby.

Absent—Excused.

Foster.

Kinnear.

Hefley.

Kittrell.

Kayton.

Rowell.

Kenyon.

Wassell.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.